the weekly Standard

JANUARY 18, 1999 • $3.50

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A Return to Modesty

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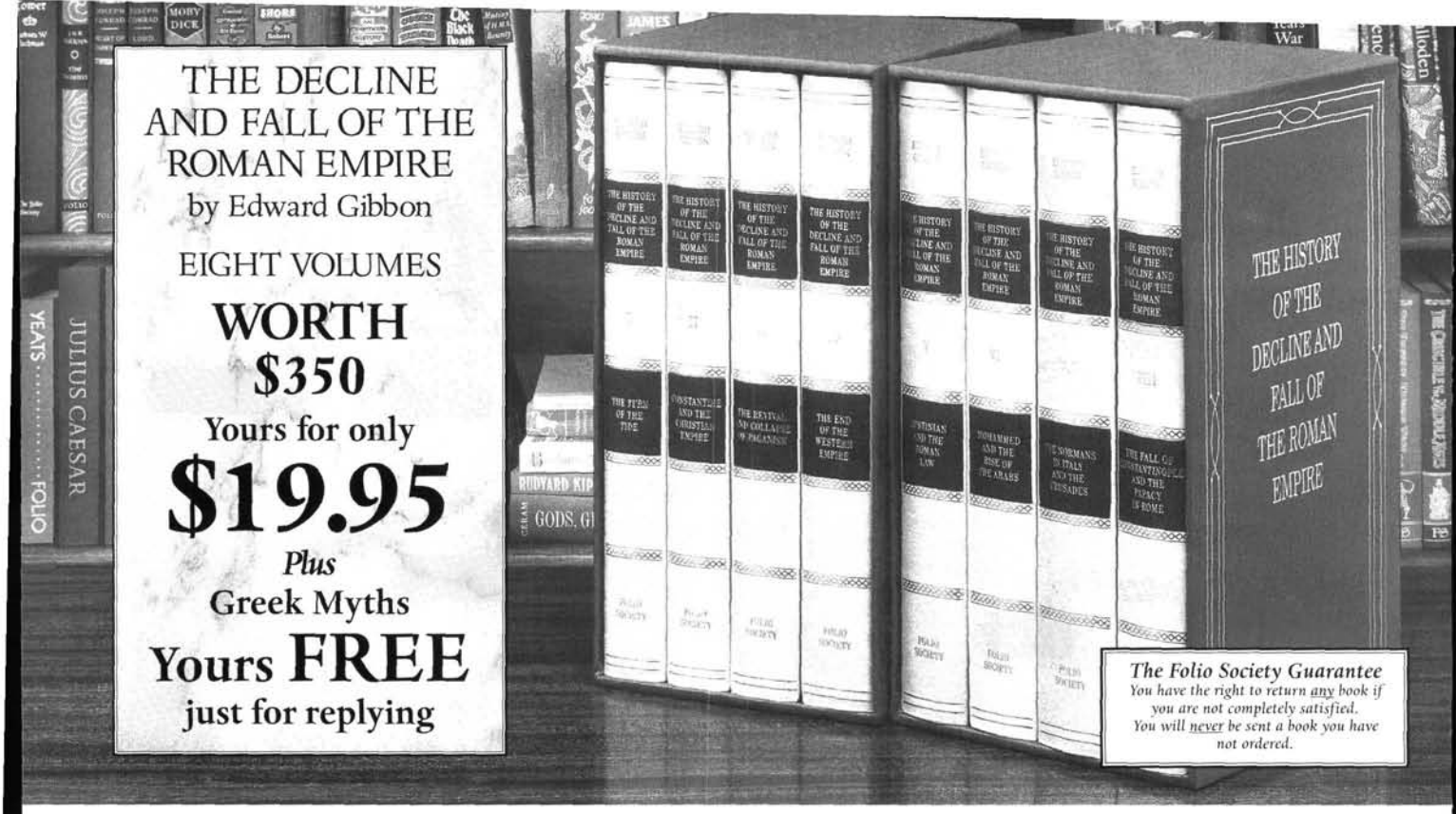

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the weekly Standard

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The "Politics of Personal Destruction"

Journalists by reputation are supposed to be a cynical, hard-bitten lot, so can someone please explain to The Scrapbook why more reporters don't chortle whenever Bill Clinton and his aides chant their favorite mantra, *the politics of personal destruction*?

Let's make it simple for our fellow journalists: Whenever White House types utter the magic words—*the politics of personal destruction*—they are being insincere. For one thing, White House allies have engaged in one long campaign of personal destruction over the past year, egged on by the example of Bill Clinton (remember Monica as stalker?) and the encouragement of Hillary.

Usually, when White House spokesmen use the phrase, they are merely trying to change the subject. The words don't mean anything, unless it's to suggest ever so subtly that the reporter should please go write another thumb-sucking news analysis about mean-spirited conservatives. *The politics of personal destruction* is a focus-group-tested bit of verbiage that Bill Clinton and his operatives wave through the air like catnip, because they have learned that earnest reporters and their earnest audience purr at the sound of the words.

Is The Scrapbook being cynical? You judge. Last week, former Tennessee governor Lamar Alexander uttered a mild-mannered complaint about the campaign slogans of his potential rivals for the White House in 2000, George W. "compassionate conservatism" Bush and Al "practical idealism" Gore. Said Alexander of the slogans: "Those are weasel words. . . . 'Compassionate conservative' is just like Al Gore talking about 'practical idealism.' They're designed to mean nothing." A Bush spokesman disputed the assessment and tried to explain the content of compassionate conservatism. But how about Gore spokesperson Chris Lehane? It's "unfortunate," said Lehane, that Alexander "has joined the Republican attack pack by engaging in this politics of personal destruction."

Oh, stuff it. Making fun of a rival's political slogan is not personal and it's not destructive; it's called campaigning. Which, by the way, is where the phrase was born in the first place.

At Eli's Cheesecake factory in Chicago on March 12, 1992, just before the Illinois primary, candidate Bill Clinton was asked by reporters about a campaign ad by Paul Tsongas that gently questioned Clinton's honesty. Clinton responded that the American people "are tired of the politics of personal destruction." The historic utterance shows up in an article filed the next day by Bill Lambrecht of the *St. Louis Post-Dispatch*, who presciently summarized the political usefulness of the coinage: "As he moves toward the Democratic nomination, Arkansas Gov. Bill Clinton is casting himself as a victim of those who worry that he will be tripped up one day by his past. . . . Rather than just denying accusations—of marital infidelity, draft-dodging and, recently, his business dealings—Clinton is working to convert them to political currency."

A week later, Tsongas had withdrawn from the race, and Clinton trotted out the phrase for the second time, to Adam Nagourney for a profile in *USA Today*: "Most of the people who talk to me, who know me, don't have any doubt about my fitness to be president, my character, my honesty, the propriety of my behavior or my wife. . . . One of the things I'm . . . betting on is that people will know they've been conned by the politics of distraction, the politics of division and the politics of personal destruction."

Well, that was certainly a good bet. In fact, six years later—with 1,373-and-counting mentions of *the politics of personal destruction* in the Nexis database—it's still a good bet.

Keeping Up with the *Times*

The creative use of the Nexis database to embarrass journalists and other public figures with their past utterances is a technique pioneered by Dan Seligman in the brilliant column he used to write for *Fortune* magazine. Happily for Seligman fans, if unhappily for the *New York Times*, he now trains his sights exclusively on the paper of record in a monthly column for the *New York Post*. His 1998 greatest-hits column last week is worth quoting at length:

"In years past, folks trying to make it as directors in Hollywood learned that it helped to clue in the audience if the bad guy wore a black hat and immediately kicked the nearest dog upon descending from the stagecoach. Folks trying to make it at the *New York Times* nowadays clue in the readers by working 'mean-spirited' into their copy. The Nexis database tells us that this phrase appeared in 102 *Times* articles and/or editorial comments last year.

"Somewhat surprisingly, the label was not in every last case affixed to conservatives. There was an oddball reference on the sports page to Monica Seles' 'mean-spirited backhand' (in a match with Steffi Graf), and also a literary allusion to Ernest Hemingway's 'mean-spirited *Moveable*

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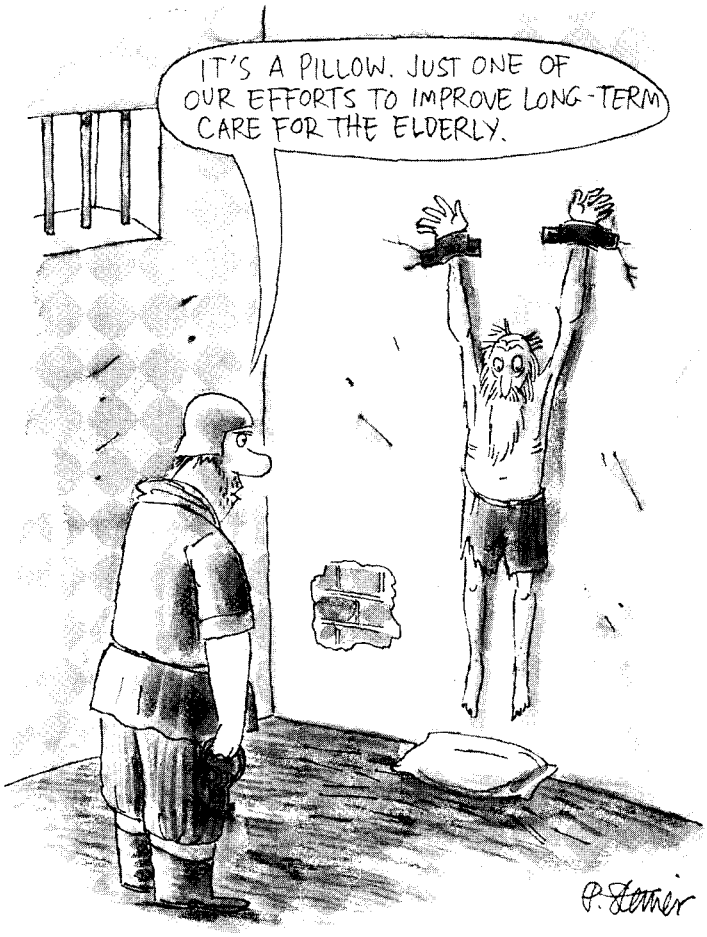

Feast' (said to be unfair in its depiction of Scott Fitzgerald). But a fellow eyeballing the 102 citations could not possibly doubt that the term is used mainly to help readers see that Republicans, impeachers and other conservatives are nasty, unpleasant people and potential dog-kickers. One looked in vain for a mean-spirited liberal."

Seligman also spotted a fantastic headline atop an Oct. 1 editorial appearing, he noted, "after a decade in which U.S. defense spending had shrunk from 27 percent of total federal spending to 15 percent: 'The Insatiable Pentagon.'"

The Clinton Standard

Think the meaning of the Clinton scandal hasn't penetrated the countryside? Last week in a criminal court in Stafford County, Virginia, 50 miles south of Washington, the judge asked potential jurors in a burglary and sexual assault case if they could decide the matter fairly and impartially. A bearded, fiftyish man rose and asked for a sidebar at the bench. "Judge," the fellow said, "as long as Bill Clinton is not in jail, I can't vote to put anybody in jail."

"Sir?," the judge said, taken aback. "He belongs in jail," the man reiterated. The prosecutor then asked the judge to drop the man from the jury pool. And the judge complied.

Time to Move On?

According to wire-service reports on Dec. 29, former Khmer Rouge leader Khieu Samphan now regrets his leading role in Pol Pot's genocidal Communist regime that murdered two million Cambodians in the late 1970s. "Yes—sorry, sorry, sorry, I am very sorry," Samphan told reporters. Another top aide to Pol Pot, Nuon Chea, added: "Actually we are very sorry, not just for the lives of people, but also for the lives of animals that suffered in the war."

Reporters pressed Samphan on the question of personal responsibility: "Please," he said. "Leave this to history. This is an old story." Or as Americans say nowadays, can't we put this behind us? Isn't it time to move on?

The Crying Game

Anyone who watched TV in the 1970s will remember the image: A morose Indian paddles a canoe through a polluted stream, a belching smokestack in the background. At the edge of a highway cluttered with litter, a piece of garbage is thrown from a passing car and lands at his feet. The narrator of the famous public-service ad intones: "People start pollution, people can stop it." A single tear, shown in close-up, rolls down the man's cheek.

The actor, Iron Eyes Cody, died last week, but the obituaries did not bring a tear to the eye. Talk about the politics of personal destruction. First, we learned that Iron Eyes never wanted to do the ad—"Indians don't cry" he explained—but agreed to at the behest of Lady Bird Johnson. Second, the tear was not really a tear, but a drop of eyewash (is nothing sacred?). Last, Iron Eyes may not have really been Iron Eyes. In 1996, his half sister revealed to the *New Orleans Times-Picayune* that Cody was actually a second-generation Italian-American from southwestern Louisiana and that he created his Indian identity out of thin air. But "he always wanted to be an Indian," his sister told the paper.

Ciao, kemosabe.

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Casual

Stop and Smell the Prose

Reading along in *My Name Escapes Me*, the diary of Alec Guinness, that most subtle and modest of modern actors, I came across Sir Alec's avowal of his shame at being a slow reader. In his mid eighties, he notes: "I think it stems (apart from slowness of the brain) from the fact that when I come across dialogue in a novel I can't resist treating it as the text of a play and acting it out, with significant pauses and all." Ah, thought I, *mon semblable*, soul brother, as one slow reader to another, I greet you with a salute after the long descent to the bottom of the page.

Alec Guinness's would be an excellent name to include among the charter members of a Slow Reading Program I have long wanted to start. V.S. Naipaul, who claims one cannot really hope to comprehend more than twenty pages of a serious book in a single day's reading, would make another good member. Robert Frost, were he alive, would be a third. Frost thought fast readers were the poorest readers. They were what he called "eye readers," whereas the best readers read with both the ear and eye, attentive to the rhythms and sounds—and, I would add, even the shape—of the words.

The Slow Reading Program would be a natural counter to the Evelyn Wood Speed Reading program, about which, it is good to report, these days one hears less and less. ("Sped read my way through *Ulysses* last night," the old joke about speed reading has it. "A book about Dublin, isn't it?") Speed reading has its place, especially given the bumf that makes up most of our daily reading diet. I use my own version of it to blast through the *New York Times* in fewer than thirty minutes every morning—obits, cultural chit chat, Clinton scandalogy, letters, Miss Scornucopia (as I think of the columnist Maureen Dowd)—over and out, never breathing heavily.

Otherwise I am a slow reader, almost a slow-motion reader. As Sir Alec has the actor's tic in reading, so I long ago acquired the editor's tic. I tend to do a check for error of most of what I read, and I not infrequently find myself, mentally, editing if not rewriting even quite good writers.

In John Updike's recent *Bech at Bay*, for example, I felt the following sentence, somehow, needed work: "They had gone to the same summer camp and private school, come out at the same country-club cotillion, and dropped out of the same year of Oberlin, to marry their respective Republican husbands." Syntactically, is the placement of "Oberlin" correct; or would it be better to have said "dropped out of Oberlin the same year"? I took two or three minutes to think about this without reaching a firm conclusion.

My reading is slowed down even further by my being a writer. Most reasonably scrupulous people reading a sentence take the following quick inventory: Was it clear? Correct? Precise? Interesting? If they have the least esthetic sense, they will perhaps add, Beautiful? But the writer, when confronted with an interesting or beautiful sentence, must ask two other questions: First, How was it done? Second, How, properly camouflaged, might its magic be stolen for my own writing? This, too, can slow a fellow down.

I also sometimes copy out sentences from my reading, wise or amusing or merely striking ones. "Education is atmosphere," writes Thomas Mann in his diary. "Since happiness is impossible in this world," writes Flaubert in a letter, "we must strive for serenity." I am a sucker for this sort of thing. I lose more time looking up words whose meanings have slipped away from me. The definitions of certain words won't stay in my mind: fungible, for instance, or irrefragable. Yet even without these minor afflictions—the editor's tic, the writer's tic—slow reading seems to me a good idea, at least when the reading matter is stylish and substantial. Like any sensual experience, it ought to be attended to in a carefully paced and thoughtful way.

In the *Confessions*, St. Augustine has left one of the few prose portraits of a man reading, the man being the excellent Ambrose, bishop of Milan, a potent teacher and one of the most penetrating readers of his day. "When he read," Augustine writes,

> his eyes traveled over the page and his heart sought out the sense. . . . No one was bidden to approach him, nor was it his custom to require that visitors be announced, but when we came to see him we often saw him reading, and always to himself; and after we had sat in long silence, unwilling to interrupt a work on which he was so intent, we would depart again.

Reading is that rare satisfaction, a pleasure that is deep yet happily harmless. While we are doing it we are taken out of ourselves, in the company of people usually smarter than we, building up no bad cholesterol. Why rush it? Why miss the music? Read on—but slowly, dude, slowly.

Joseph Epstein

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Correspondence

Latin Lovers and the Grinch

On Christmas Eve I happily settled down to read Tracy Lee Simmons's review of *Quomodo Invidiosulus Nomine Grinchus Christi Natalem Abrogaverit*, since that book was one of the gifts my husband and I had wrapped and put under the tree for our children ("How the Grinchus Stole Christmas," Dec. 28).

However, our family doesn't quite fit Simmons's description of the "typical buyer." I think we are slowly upwardly mobile, but our college degrees are in a box in the attic; we currently drive a 1990 15-passenger Ford van (to lug around our 8 children); we recycle only when the garbage cans are full; and we never, ever pledge to PBS. We homeschool our children and are trying to provide a somewhat classical education, so while *Caesar in Gaul* and *Select Orations and Letters of Cicero* are good and have their place in our children's study of Latin, I thought the *Grinchus* would be a quick, fun read for us all. Simmons was right—the book is a "frolic."

LAURA DOWLING
JACKSONVILLE, NC

Don't Go Dutch

Michael W. McConnell attributes nineteenth-century opposition to government support for religious institutions to anti-Catholicism ("School Choice in America," Dec. 21). But he neglects to note that many evangelical Protestants (especially Baptists and Southern Presbyterians) fought for the independence of religion from the state long before large-scale Catholic immigration to America occurred. They took the principled position that even "general-assessment taxes," which allowed taxpayers to choose the church their tax dollars would support, were inimical to liberty and ultimately would weaken religion.

McConnell inadvertently proves their point. He cites European countries as religious models for the United States, even though government funding for religion has helped leave those nations almost completely devoid of strong churches. For example, voucher advocates point out that 70 percent of children in the Netherlands attend religious schools with public funds, as if this is an argument for vouchers. What this really shows is the danger government funding poses to religion. Those subsidized "religious" schools produce a citizenry which embraces prostitution, drug use, and euthanasia. What a model!

The Dutch aren't alone. Throughout history, most government-funded religions have ended up becoming indistinguishable from the world around them. And this isn't just because government regulations inevitably follow government funding. Dependency

itself undermines character. Truly independent churches can stand against the excesses of the broader culture, and thus fulfill the biblical mandate to be salt—a preservative—for society. They won't have such a healthy adversarial stance for very long if they become financially reliant upon the broader society. The record is clear: Socialized religion functions about as well as socialized medicine.

TIMOTHY LAMER
FALLS CHURCH, VA

Reading Too Deeply

Fred Barnes has it right when he says, "They're all wrong" ("The Scarlet 'I,'" Dec. 21). I voted this past Election Day for two Democrats: Jim Turner and Jim McReynolds. They are good, decent men with high ethical standards who have earned reputations of being faithful to God, country, and family. Also, they were freshmen who did good jobs of representing their constituents and each of them deserved a second two-year term.

I also voted for Republicans George W. Bush and Rick Perry for very similar reasons—they too are men of integrity with excellent records.

Like many Americans, I voted for those candidates that I consider best qualified and most likely to do the right thing for our country. In no case did I vote for Clinton—had he been on my ballot I would have voted for his opponent. The oft-repeated myth that a vote for a Democrat was a de facto vote for Clinton is not only dead wrong, but also insulting—to both me and those Democrats for whom I voted.

BOB CURRIE
KENNARD, TX

A Good Kiss

I read Matthew Rees's article on Kiss with great pleasure ("Kiss and Sell," Dec. 21). As a longtime Kiss fan, I find that some things never do change, and Kiss has never changed its capitalistic formula. The middle-aged rockers that make up Kiss do not pretend to solve world crises through music (as other bands claim), they are simply entertainers putting on a show and trying to sell things.

I fully expect Kiss will still be turning out pre-teen-friendly heavy metal, putting on pyrotechnic stage shows, and pushing Kiss products even as the rockers collect Social Security.

LEWIS L. PREDDY
JACKSONVILLE, FL

Deals on Tobacco Road

Christopher Caldwell misses the real reason why the tobacco companies agreed to allow the tort lawyers' fees to be set by a seemingly one-sided arbitration system ("Dirty Deals in Smoke-Free Rooms," Jan. 4/Jan. 11). By securing a cap of $500 million on annual payments to the lawyers, the tobacco companies have already capped the

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total payment at around $7 billion, which is certainly outlandish, but is far from the $40-65 billion that Caldwell credulously accepts as the eventual total of fees to be paid. Simple arithmetic will show that, assuming a reasonable 7 percent rate of return, $7 billion will accrue $500 million each year until the end of time. I think it is a safe assumption that, having effectively negotiated a one-time payment of $7 billion to the lawyers, the tobacco companies were understandably uninterested in whatever theoretical awards the arbitrators might grant. These awards may influence the share of the settlement paid to each lawyer, but they don't affect the companies' bottom line at all.

Of course, $7 billion is still quite a bit of Danegeld to pay, even to a horde of rapacious tort lawyers.

DAVID STEIN
COLUMBIA, MD

CLINTON'S VIRTUAL REALITY

The SCRAPBOOK makes an interesting point worthy of note ("Clintonism of the Millennium," Dec. 21). "According to White House counsel Charles F.C. Ruff, Bill Clinton could not have perjured himself because 'in his mind—and that's the heart and soul of perjury—he thought and he believed that what he was doing was being evasive but truthful.'"

Let me see if I get this right: The president's own attorney is claiming that there was no perjury because in Bill Clinton's reality he told the truth. It seems that Ruff is conceding that the president is subject to delusions!

And that means Vice President Gore ought to be studying the 25th Amendment.

SHELDON JAY PRICE
HAVERHILL, MA

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COLE POWERED

With appreciation for Eric Felten's excellent commentary on Cole Porter ("King Cole," Dec. 21), allow me to question one slight slant by the author, who writes: "Astonishingly—given the means and the temptations to slip into dissolute torpor—Porter continued to study music and scribble songs." But is this really astonishing, or is it simply the predictable course of any truly creative individual possessed of reasonable self-control, as was surely the case with Porter? Allow me to suggest that it was not in spite of, but because of Porter's independence of means that his creative genius flourished so richly. A fecund mind cannot tolerate boredom.

The saga of human history is in part the struggle of individuals for the freedom to do what they wish with their lives, rather than work for someone else. And while many people simply do waste their time when they don't have to work—witness countless dreary retired businessmen puttering mindlessly around golf courses—creative people are driven to, well, create. It was so with Porter, just as it has been with myriad others with that most enviable combination of brains, talent, and inherited wealth.

As to the "temptations" which Porter surely indulged in, I am reminded of a tart remark from a matronly character of Agatha Christie's who said that one can indulge in just so much sex, and then it becomes uninteresting.

JAMES JOHNSON
KEY WEST, FL

The sky was falling and rates were climbing. But not for thousands of families whose dreams of owning a home became a reality last year. Mortgage funds kept flowing to average Americans who purchased homes at record levels in 1998 while enjoying the lowest interest rates in a generation. What set them apart from everyone else who found credit markets choked, from foreign governments to the largest corporations in the world? Fannie Mae. Our ever-expanding ability to

During the last half of 1998, nearly everyone had trouble borrowing money. Except for the American home buyer.

attract global investment dollars and put them to work for home buyers across the nation is keeping homeownership opportunities within reach. And our mortgages can save a family up to $26,800 in interest expenses over the life of their loan. In good times and bad, Fannie Mae continues the important work of attracting new sources of capital to finance American homes and offer America's working families an invaluable service.

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the weekly Standard

THE DEMOCRATS' DUTY

Last week as the Senate took up the impeachment of William Jefferson Clinton, and as Republicans argued with Democrats and the talking heads talked away, the dominating spirit in Washington was that of a man whose name was never mentioned: Ross Perot. Twice rejected at the ballot box, he has tricked us into thinking him defeated and gone. But it isn't so. The emanations of that meddlesome dwarf are everywhere. Close your eyes a moment and simply listen.

Listen to the White House, through spokesman Joe Lockhart, who denounces the House of Representatives' duly considered and enacted resolution of impeachment against the president—not just as wrong or partisan or bad, but as wholly "illegitimate."

Listen to the Democrats in Congress—and some Republicans, as well—who loudly pray, above all else, for deliverance from the obligation to deal with this upsetting matter. They really, really do not want to eat their yucky peas. At the eleventh hour last Friday, the Senate was only barely able to fulfill its constitutional duty to organize a genuine impeachment trial. This the Senators *congratulated* themselves for.

And listen, too, to the opinionocracy, who daily rage at Washington's inability to follow their orders and finally put this squalid mess "behind us." The coming trial will be entirely "redundant," thunders the *New York Times*. The solution is "obvious"; the public opinion surveys have spoken: no removal from office. Instead: Censure Clinton quickly, proclaiming at once that he has failed the presidency and that he is nevertheless fit to retain it.

What do we hear in all this? The poll-worshipping assumption that what is popular and therefore likely to happen is also, by definition, what *ought* to happen. The near-absolute impatience with any delay in such an outcome. The explicit contempt for those time-consuming governmental procedures that stand between desire and result. The coruscating cynicism about the wisdom and probity of any politician who dares remain faithful to inconvenient traditions.

The tone of voice and temperament are all too familiar: *Come on, people, this is simple. Am I speaking English here? Are you gonna let me finish?* Pseudo-populist irritability, the evil spirit of Ross Perot, has the capital under siege.

THE SENATE IS LIKELIER TO ACQUIT THAN TO CONVICT THE PRESIDENT. BUT *HOW* THE SENATE REACHES ITS DECISION IS OF GREAT MOMENT.

It is a spirit that was disdained by our Framers. The design of their republic, instead, was for *responsible* self-government: popular will restrained and refined by an intricate machinery of divided power and elaborate rules. This system is not efficient. It is not supposed to be efficient. Its very *inefficiency*, in fact, the slow-moving formalities by which it settles the most difficult public arguments, is the system's glory. Those formalities—the formalities of liberal constitutionalism—demand respect.

One such formality is before the nation now. The House of Representatives has impeached the president. This magazine continues to believe that the impeachment is just and proper and that Bill Clinton's crimes warrant his removal from office. But we remain realistic, as well, and we know—as we have always known—that chances are the Senate will let Clinton serve out his term. Nonetheless, *how* the Senate reaches its decision is a matter of great moment.

And here we believe conventional wisdom has it exactly backwards. The coming, crucial weeks do not primarily challenge the reputation and integrity of the Republican party, as most commentators now assume. Senate Republicans approach their duties rather too timidly and apologetically for our tastes. But they are at least doing what they are supposed to do: taking their responsibility seriously and insisting that a trial be carried through to conviction or acquittal.

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About the Democratic party, however, we are not so sure. Senate Democrats have the power, all by themselves, to preserve the Clinton presidency. Every sign suggests they intend to use that power no matter what. But Senate Democrats have the duty to do so in a responsible and deliberate way—and to explain *why* they are so acting. And if they do move to acquit the president, or to adjourn the proceedings prematurely, they will no doubt be tempted to wrap themselves in the reigning mood of braying, Ross-like populism. They will be tempted, for example, to talk of the polls, to denigrate the motives of those who differ from them, to achieve their practical goal by disrupting—and mocking the need for—an orderly and complete trial. They will be tempted, in other words, to follow the Clinton White House and the House Democratic caucus in describing the president's impeachment not as an honorable *mistake* by the House of Representatives, but as a species of hateful partisanship and anti-democratic usurpation, unworthy of any respect.

Peter Steiner

If Senate Democrats behave that way, it seems to us, then the necessary dignity of our Constitution's forms will have suffered a devastating blow, compounding the damage already done by the president and his army of apologists. Can such a disaster be forestalled? Yes. But only by the 45 Democratic members of the United States Senate, who—even if they are determined to sustain Bill Clinton in office—need not join in a destructive assault on our constitutional order.

—David Tell, for the Editors

Lott Makes a Deal

by Fred Barnes

THE THING TO UNDERSTAND about Trent Lott is that he's never wanted to be a Senate majority leader like George Mitchell, who mostly obstructed the agenda of a president (George Bush) of the other party. Lott's style is closer to that of Lyndon Johnson, who as Democratic majority leader in the 1950s worked with a Republican president (Dwight Eisenhower) to achieve mutually beneficial results. In Lott's mind, his own best days as Senate leader were in 1996 and 1997. Then, while he didn't quite have a partnership with President Clinton, he worked with the White House and congressional Democrats to enact welfare reform, a telecommunications bill, health-insurance portability, and a balanced budget. Now, Lott "wants to be an accomplishment-driven majority leader who builds on his successes of '96 and '97," says Rep. Chip Pickering, a Mississippi Republican and former Lott aide.

That may happen eventually. But Lott didn't exactly follow the LBJ formula in producing a bipartisan plan for the Senate trial of Clinton. Instead, he took a long detour. Lott desperately wants an orderly trial in which Republicans will not be embarrassed by having the proceedings terminated at the outset by a simple majority of 45 Democrats and 6 or more queasy Republicans. So over the Christmas holidays he grabbed onto the plan devised by GOP senator Slade Gorton of Washington and Democratic senator Joe Lieberman of Connecticut. It would have guaranteed

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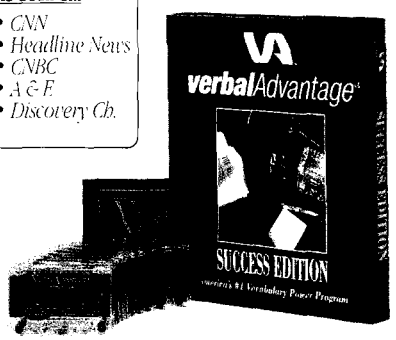

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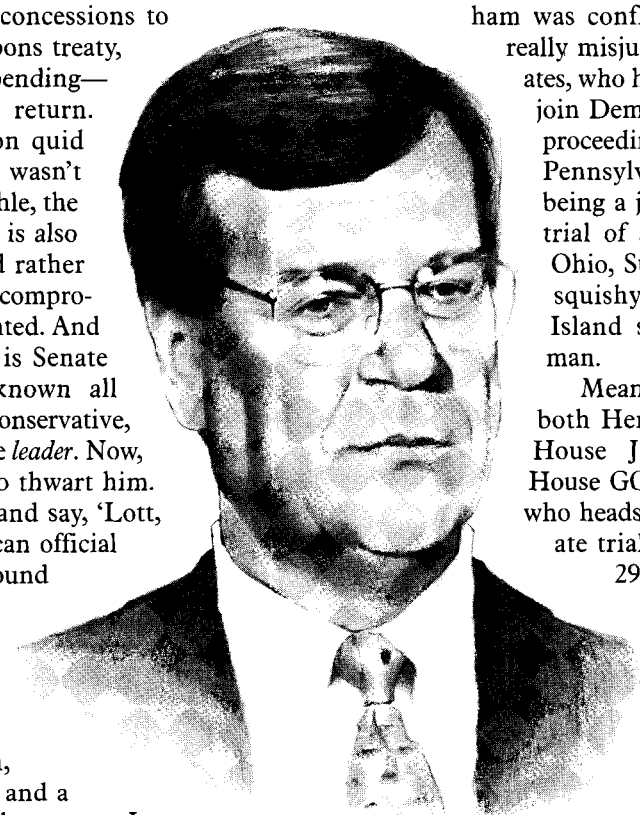
a one-week trial and probably no vote at all on the articles of impeachment. And no witnesses would have testified. The White House and Senate Democrats loved the idea, and Lott thought a good number of the 55 Republicans would, too.

Yet that plan collapsed, and was replaced by a far better one. How come Gorton-Lieberman died? One reason is an inherent problem in the age of Clinton: This president doesn't play the game fairly. Lott has made generous concessions to Clinton—a chemical-weapons treaty, a big jump in domestic spending—and gotten very little in return. There's rarely any Clinton quid for Lott's quo, and there wasn't this time either. Tom Daschle, the Senate Democratic leader, is also a problem. Normally he'd rather impede Republicans than compromise, but this time he relented. And a third problem for Lott is Senate conservatives. They've known all along that Lott, though a conservative, isn't a partisan conservative *leader*. Now, they've figured out how to thwart him. "You don't confront him and say, 'Lott, you're a jerk,'" a Republican official said. "You quietly work around him to build a firm majority of Republicans in opposition." And Lott caves. This method allowed conservatives to kill tobacco legislation, campaign finance reform, and a patients' bill of rights last year. It doomed the Gorton-Lieberman scheme last week.



Trent Lott

Lott should have known better than to embrace that plan in the first place. Until recently, he's relied on an inner circle of a half-dozen advisers, dubbed the Council of Trent, to keep in touch with the sentiments of Senate Republicans. Rick Santorum of Pennsylvania, Kay Bailey Hutchison of Texas, Spencer Abraham of Michigan, Paul Coverdell of Georgia, Connie Mack of Florida, Gorton—that's the group. Only Lott doesn't call on them much anymore, except for Gorton. If he had, he'd have balked at Gorton's suggestion that his plan was the best Republicans could hope for, both to avoid an embarrassing shutdown of the trial and to protect GOP senators (like Gorton) running for reelection in 2000. Lott did hear Hutchison's vigorous argument for a full trial with witnesses when the two sat together at the Cotton Bowl on January 1. By then, however, Lott had already begun touting Gorton-Lieberman.

Lott and Gorton operated on two assumptions, one that there will never be 67 votes to convict the president, the other that 51 votes were likely to materialize quickly to shut down any trial at all. In other words, Lott assumed he had a weak hand. In truth, he didn't. Hutchison wasn't the only Council of Trent member who wanted a full trial. So did Santorum, who's up in 2000, and Coverdell and Mack. Abraham was conflicted. But the group Lott really misjudged were the GOP moderates, who he thought would be ready to join Democrats and short-circuit the proceedings. Not so. Arlen Specter of Pennsylvania spoke eagerly about being a juror in the most important trial of all time. Mike DeWine of Ohio, Susan Collins of Maine, even squishy John Chafee of Rhode Island said no to Gorton-Lieberman.

Meanwhile, Lott was lobbied by both Henry Hyde, chairman of the House Judiciary Committee, and House GOP whip Tom DeLay. Hyde, who heads the prosecution at the Senate trial, called Lott on December 29 when he got wind of Lott's tentative backing of Gorton-Lieberman. Hyde was upset. The next day, he released a letter to Lott condemning the plan. This upset Lott, who called Hyde on New Year's Eve to complain testily about Hyde's making the letter public. DeLay's advice to Lott turned out to be prophetic: Just hold on and let the process play itself out without much interference. Then, a consensus among Republicans will emerge, as it did in the House in favor of limited hearings and, finally, of impeaching Clinton. Once Lott gave up on Gorton-Lieberman, that's what happened. Lott, by the way, told Republican senators he'd always preferred what was ultimately agreed on January 8: a full trial with up-or-down votes on both articles of impeachment. Yes, he really had. He just hadn't believed there were enough GOP votes to ensure it, or that Democrats would ever go along with a GOP blueprint for the trial.

Where does all this leave the notion of Lott as a leader in the style of LBJ? Maybe intact. Assume Clinton is roughed up in the Senate trial but not ousted, then what? Clinton will be eager for accomplishments to offset the stigma of impeachment. He can't do that

Illustration by Chas Fagan

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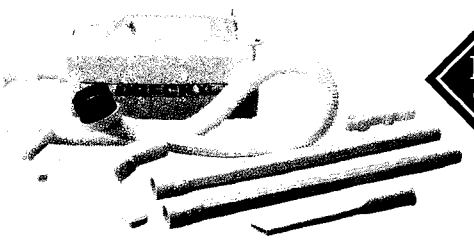

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without Lott. And Lott has a House counterpart, speaker Dennis Hastert, who's probably more inclined to compromise than was his predecessor. Social Security reform. Sweeping tax reform. A ban on partial-birth abortion. Who knows? Lott is interested in his own legacy, too. "If he could combine the accomplishments of LBJ but in a new [and more conservative] direction, that would a be good legacy for him," says his ex-aide Chip Pickering. Indeed.

Fred Barnes is executive editor of THE WEEKLY STANDARD.

WHITE HOUSE FEARS

by Tucker Carlson

LAST WEEK, WHITE HOUSE press secretary Joe Lockhart explained why Bill Clinton begins the Senate impeachment trial at a profound disadvantage. The case that Republicans will bring against the president, Lockhart told the *New York Times*, is based on "the most prejudicial record that could possibly exist"—a record that is mysterious in origin, "untested and not cross-examined," a record from which "we know exculpatory information was left out." No sane defendant would choose to defend himself against such incomplete and misleading evidence in court, Lockhart implied. Nevertheless, he said, "We are accepting that record."

Does the White House have a death wish? Why would the president's lawyers allow biased and incomplete evidence against their client to stand unchallenged? Because the alternative is worse. Challenging the facts of Ken Starr's case would require new testimony, and there is nothing the White House wants less than a Senate trial with witnesses.

All of which puts Clinton partisans in a tough position. It's hard to argue simultaneously that Starr's evidence is misleading and that no witnesses should be called to correct it, though the president's defenders have done their best. I don't think witnesses should be called, James Carville explained last week, because, "as a human being, I don't want to see Betty Currie have to testify." Hours later, Carville's former partner, Paul Begala, made the same point in strikingly similar language. "As a human being," Begala said, "I'd rather do almost anything than see Betty Currie dragged through this stuff one more time."

Apparently, someone in the White House communications office realized that Betty Currie's hurt feelings didn't make for a very effective talking point, because within a short time a new argument appeared: Calling witnesses would make for a long trial—months and months, at minimum—and a long trial hurts everybody. The White House would be paralyzed for the duration. The Supreme Court, adrift without the chief justice, would cease to hear cases. The American people would miss out on all sorts of vital education and health care initiatives. Only Republicans would welcome the gridlock, and they, too, would suffer in the end, punished by angry voters two years from now.

It's a grim scenario, and not all of it is spin. Witnesses would certainly make the trial longer. A long trial might indeed irritate the public and hurt the Republican party in the 2000 elections. The White House, meanwhile, will be in a poor position to haggle over legislation while the trial is in progress. "To the extent that Bill Clinton is held hostage to the Democratic party during the impeachment process," says someone who frequently advises the administration, "he cannot negotiate as easily with the Republicans on something as sensitive as Social Security. He needs to keep his labor base."

All of this is true, but there are other reasons the president's advisers fear a parade of witnesses at trial. For one thing, the longer a trial continues, the more opportunities the president will have to sabotage his own good fortune. There is the possibility that Clinton will have another unseemly, and televised, outburst of smugness—a repeat of what one adviser calls "the bongo-beating, cigar-chomping thing"—and alienate Senate Democrats in the process. There is also the chance that yet another scandal will break before the president has been acquitted. Rumors that Clinton has an illegitimate teenage child by a Little Rock prostitute have been floating around Washington for weeks (and around Arkansas for years). On its face, the story seems implausible. On the other hand, no one around Clinton is categorically denying it. "I have no idea whether it's true or not," says Lanny Davis, formerly of the White House counsel's office. "I don't think people want to think about it. It's like we're all afraid to breathe when the topic is raised."

Nor is the appearance of a Clinton love child the White House's only fear. Perhaps as terrifying, a long trial would force Clinton defenders to explain why, exactly, a president who commits perjury should keep his job. So far, says Lanny Davis, "No Democrat has

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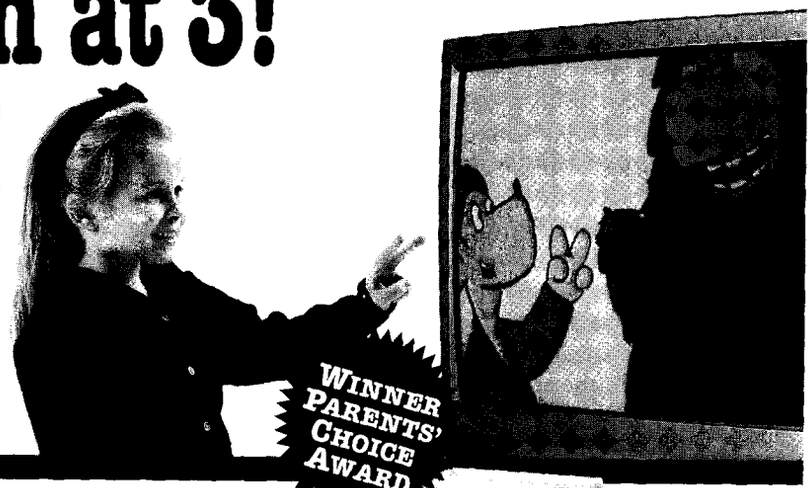

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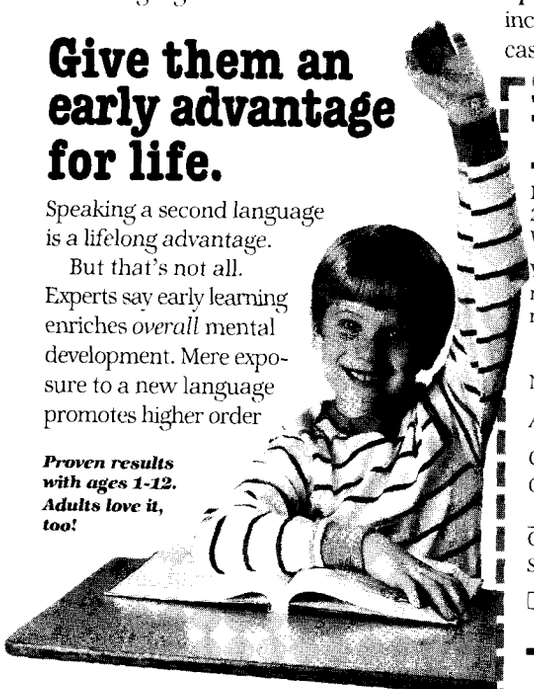

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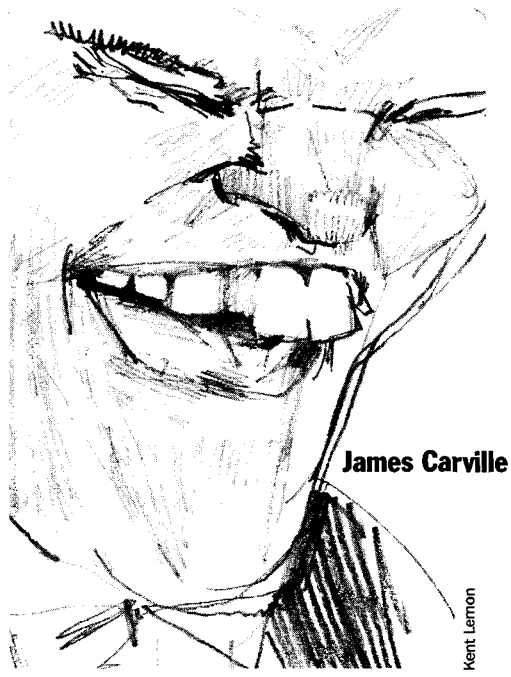
been willing to utter the words, 'Perjury before a grand jury is not grounds for removing the president from office.' I mean, I have a hard time saying that. But that's exactly what we are saying. And the way that we articulate it is, 'We don't accept that there was perjury before the grand jury'—I think I have a harder time with the civil deposition—'but it's a terrible thing that he did. He shouldn't be removed from office.'" Once a trial begins, Davis says, "they're going to have to confront the reality, on both sides, of what they're really doing, and articulate it clearly."

If witnesses are called, the White House may also have to confront the reality of Monica Lewinsky. It's axiomatic among lawyers that the certainty of a mediocre settlement is better than the risk of a trial, and Lewinsky proves the point. No one at the White House has spoken to Monica Lewinsky in more than a year. No one knows what she might say if put on the stand. Consider, for example, her now-famous statement to Starr's grand jury, "Nobody ever asked me to lie." Much has been made of these words, and in a trial without witnesses, they are priceless for the White House, certain to be at the center of any defense against charges that the president obstructed justice. But what happens if Lewinsky herself shows up in the Senate? What if, under direct examination from Republicans, she explains that while nobody ever asked her to lie, the president and his allies winked, hinted and otherwise strongly implied that she should?


James Carville
Kent Lemon

At that point, says Michael Zeldin, a trial lawyer and Clinton defender who sometimes participates in the White House's daily strategy conference call, "your well-scripted argument doesn't work any more. She's just blown you out of the water. If you're the White House, the best way you can have a trial is with no witnesses, because that way there's nobody to screw up your closing argument. You can take the cold record with nobody there to fool with it."

And even if Lewinsky—or Betty Currie or Vernon Jordan—has nothing new to say, just the fact of their appearing could have a profound effect on the Senate. Never underestimate, Zeldin says, the effect of live witnesses on a jury.

> If you're a senator who believes there shouldn't be a long trial, that it's a partisan witch hunt, that it doesn't rise to the level of an impeachable offense, blah, blah, blah, and then you're confronted with the evidence that the president really did lie under oath because you've seen the witness who can make his denials a lie, maybe it gives you pause, maybe you think it all over again. You just don't know what affects people. You never know. I wouldn't bet a dollar to a million bucks that this president can be assured that he won't be removed if there's a full trial.

Members of Clinton's defense team have been making the same calculations, and in private at least one of them has vowed to pull out all stops before accepting the Republican trial rules. The White House is already arguing for the right to depose any witness called before the Senate. Hillary Clinton is known to support a hardline defense strategy, and there is talk of other, more obstructionist tactics, such as challenging the legality of the trial itself, perhaps in an appeal to the Supreme Court. It's unlikely, however, that Clinton lawyers Charles Ruff and David Kendall will become too belligerent, if only for fear of alienating Democrats in the Senate. Senators like Joseph Lieberman of Connecticut won't put up with an overly legalistic defense from the president, predicts a lawyer in the White House counsel's office. "There's a real sensitivity to that," he says. "Things that you might do in a downtown superior court, you wouldn't do here."

And what will the Senate do? There has long been a consensus on television chat shows that Clinton faces no risk of removal, that 67 senators would never, in a million years, vote to convict. Someone who has spoken to Clinton recently says the president has heard all of those predictions, too. Clinton's reaction: What do they know? They're not the one facing removal.

James Carville agrees. "In Washington," Carville says, "you can stand on a corner with a sign offering to do cable TV for a cup of coffee and someone will book you." The real test is the trial. "You can wonder about the future," he says, "but you sure can't predict it with any accuracy. These things are like kicking a door down—no one is quite sure what's on the other side."

Tucker Carlson is a staff writer for THE WEEKLY STANDARD.

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WITNESSES FOR THE PROSECUTION

by Matthew Rees

"I'M DELIGHTED WE HAVE THE prospect of calling witnesses. I'm disappointed we have to go through so many hurdles to get there." That's how Asa Hutchinson, one of the House managers prosecuting the case against the president, views the deal approved by the Senate on January 8. Hutchinson and his fellow managers are concerned because the Senate resolution requires all potential witnesses to be deposed, and then approved by a majority of the Senate, before they can testify. While this may prove inconsequential, the fear is that following the depositions the White House will argue that potential witnesses have nothing new to add to the record and thus shouldn't be called to testify. It's the view of the managers that if they aren't allowed to call some of the witnesses central to the case against the president, the likelihood of their convicting will shrink from slim to none.

That said, the managers are much happier with the Senate deal than with what they faced on December 29. That's when Trent Lott, the Senate GOP leader, told a reporter he had a plan for a truncated trial with no witnesses. This went against everything the managers had been working for, and they weren't shy about sharing their disapproval with Lott. Hyde talked to the majority leader that evening, and the next day released a letter he had sent Lott spelling out the shortcomings in the proposal for an abbreviated trial. On December 31, Hutchinson made the case against Lott's proposal in a piece published in the *New York Times*. And last week, the managers agitated, in public and private, for the Senate to grant them the right to conduct a trial with ample time to make their case and call witnesses. Their vigilance sends a clear signal to the White House that even though there's little expectation of 67 votes to convict the president, there will be no hesitation about making the case for conviction.

In preparation, the managers have grouped themselves in four "teams." One, led by Bill McCollum of Florida, is researching which witnesses should testify. Another, led by Ed Bryant of Tennessee, will handle the questioning and cross-examining of witnesses. A third team, led by Charles Canady of Florida, is preparing the legal case for conviction, while a team led by James Sensenbrenner of Wisconsin is charged with formulating the response to expected White House attempts to bar evidence from the trial.

The first challenge will confront Canady's team, which includes Lindsey Graham and Steve Buyer. White House lawyers Charles Ruff and Gregory Craig are expected to file a pretrial motion that the case be dismissed on the grounds that the president's actions do not constitute high crimes and misdemeanors and were not part of his official conduct. A source close to the case says the managers will respond by pointing to the Senate precedents for removing federal officials from office for lying under oath (as in the cases of judges Walter Nixon, Harry Claiborne, and Alcee Hastings); and they'll argue that if Clinton can't be convicted for actions not part of his official conduct, then it follows that he could rape a woman and remain in office.

Once the pretrial motions are disposed of, Sensenbrenner will deliver the opening statement. With this, the managers hope to achieve three things. First, they want a clear and complete review of the case against the president. Second, they want to showcase a congressman who comes across as a regular guy—as Chicagoan David Schippers, the majority counsel to the House Judiciary Committee, did in the House. Sensenbrenner, known among his colleagues for his prickliness and for being a Kimberly-Clark heir, nonetheless screams middle class, with his strong Wisconsin accent and his penchant for playing the lottery (a year ago, he won $250,000 on two one-dollar tickets). Third, the managers hope Sensenbrenner's presentation will calm the waters before the summoning of witnesses inflames White House lawyers and Senate Democrats.

The three witnesses Bryant is most likely to call are Monica Lewinsky, Betty Currie, and Vernon Jordan. They possess the most direct knowledge of the president's alleged perjury and obstruction of justice. Yet risks accompany all three. Jordan is a close friend of Clinton's and has given no indication he would implicate the president in any more wrongdoing. Currie has continued to work at the White House and was seen hugging the president in the Oval Office a few hours after the House impeachment vote. As for Lewinsky, she's unpredictable. A House manager acknowledged to me, "These are not witnesses we can call with absolute confidence."

Even more unpredictable are a slew of other witnesses the managers might call to testify, such as White House aides Bruce Lindsey and Sidney Blumenthal and former Clinton adviser Dick Morris. Lindsey is believed to have had a hand in efforts to silence people who possessed damaging information

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about the president. Blumenthal and Morris would probably be asked about their conversations with Clinton shortly after the Lewinsky story broke a year ago. But none of them is likely to produce a smoking gun.

Most explosive of all would be the summoning of individuals who claim to have been coerced into filing false affidavits by Clinton operatives. One rumor last week had it that among those to be called in support of the obstruction of justice charge is "Jane Doe #5," who has recanted her year-old affidavit denying a forced sexual encounter with Clinton 20 years ago—an affidavit she is believed to have signed under pressure from Clinton operatives. Other witnesses who could be called to testify about obstruction are Dolly Kyle Browning, who says she had a long-term sexual relationship with Clinton, and Kathleen Willey, who maintains the president groped her in the Oval Office. But in a hint of the obstacles ahead, Democratic senator Joseph Biden said that calling these witnesses would be "inappropriate, unfair, and unseemly."

Once all of the witnesses have been heard and cross-examined, the managers will present their closing argument in two stages. Manager James Rogan, a 41-year-old former municipal judge and district attorney, will sum up the facts of the case against the president. Then Hyde will explain what it means. One of the managers' objectives is to prevent the trial from becoming bogged down in details. Manager Bob Barr told the *New York Times* recently that "a senator's attention span is probably less than an average juror's, so we'll need to simplify, simplify, simplify."

That comment, coupled with Hyde's persistence in beating back the plan for a short-circuited trial, prompted endless carping last week from senators, most of them Democrats, that the House managers weren't respecting the Senate's prerogatives. What mattered more, though, was that the managers succeeded in quashing Lott's effort and secured a trial in which at least some key testimony is likely to be heard. They'll need more such successes if they are to achieve their final objective—removing the president from office.

Matthew Rees is a staff writer for THE WEEKLY STANDARD.

Michael Ramirez

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Answering "The Question"

by David Frum

"HAVE YOU EVER COMMITTED ADULTERY?" The question has already been posed to Dan Quayle, and it's very likely to be asked of every other prospective candidate for president in 1999, the Republican candidates anyway. Diane Sawyer even asked it of Ken Starr. Starr and Quayle replied with an unequivocal no. Cheering as this information must be to Mrs. Starr and Mrs. Quayle, it's the wrong answer. With the 2000 election soon to begin in earnest, it's important to get the answer right.

It's tempting to agree with William Safire, who has been recommending for the past decade that the right answer is a flat: *Go to hell*. If every candidate—the strictly faithful as well as the occasionally erring—were to deliver it, three important things would be accomplished.

In the first place, it would underscore the point that Republicans have been driving home until their jaws hurt: Despite what President Clinton and his ever-more-exotic circle of friends believe (what *do* they make of Larry Flynt at Renaissance Weekend?), the Monica Lewinsky scandal has only incidentally been about sex. Exposing the unchastity of politicians is not in fact a Republican obsession: Pat Robertson, Jerry Falwell, Pat Buchanan, and Gary Bauer have never pursued the "scorched earth" methods of the Clinton White House in 1998 alone. The Bush White House never shopped around stories about the sexual orientation of Lawrence Walsh's attorneys, as the Clinton White House did with Starr's investigators; Bob Packwood never called into question the sexual virtue of the women who brought charges against him, but Bill Clinton ("You know what they say about her in Richmond. . . .") did.

IT'S INADVISABLE TO TELL THE WORLD YOU HAVE BEEN A FAITHFUL HUSBAND FOR THE SAME REASON YOU WOULDN'T BRAG ABOUT PERFECT SATs.

The Safire answer is appealing, in the second place, because politicians are indeed entitled to personal privacy. Scandalous allegations about the sex lives of politicians' wives (such as the stories purveyed about Nancy Reagan by born-again Clinton defender Maureen Dowd on the front page of the *New York Times* almost a decade before anybody had ever heard of Monica Lewinsky) or charges that a seemingly faithful husband has cheated on his wife (such as that brought against George Bush by veteran Clinton defender Joe Conason in *Spy* magazine in 1992) or inquiries into the rumored homosexuality of fathers of children (such as that forced upon Michael Huffington by Hillary's new best friend David Brock in the current issue of *Esquire*); none of these belong in the public realm. A good, loud "Go to hell" might help Washington's journalists to understand that all politicians are entitled to a modicum of privacy, even if they happen to be Republicans, and even if they conduct their liaisons somewhere other than in the Oval Office.

The third and final benefit of the Safire answer is that it protects the sexually virtuous from the temptation to brag and preen. It's inadvisable to tell the world that you have been a faithful husband for the same reason that it's inadvisable to tell it you scored a perfect 1600 on your SATs. Nobody likes a showoff.

And yet, for all this, the Safire answer is flawed. Perhaps it's best to think of the Safire answer as the political equivalent of Euclidean geometry: workable most of the time, but not the last word. For the model spouse and the ordinary sinner, the right answer is no answer. But for the politician with a lot of skeletons in the closet, that won't do.

An ordinary sinner—the senator who cheated on a first husband a dozen years ago; the congressman with a wife in Cedar Rapids and a girlfriend in Washington—can with reasonable discretion and spousal forbearance maintain the appearance of conventional family life that large numbers of voters still expect from their politicians. But it's obviously going to be much harder for a sexually compulsive person like a Bill Clinton or a Gary Hart to maintain that appearance. Too many people know too many things about such a person: not just those who have been partners in these affairs, but also the friends they blab to, the staffers who tidy up after them, and the journalists who can't be kept in the dark indefinitely. The effort to maintain politically valuable illusions when so many people are aware of the awkward truth risks plunging a candidate into a whirlwind of lies.

Better, then, not to try to create the illusion in the first place. Instead of saying "Go to hell" while holding the hand of a husband or a wife, a candidate with a checkered past would be well advised to signal that his or her record as a spouse falls short and to avoid anything that looks like an effort to package himself as the ideal family man. That may sound like impractical advice, especially in the coming Year of Character, but

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in fact it's the most practical advice of all.

Back in 1992, the harshest criticism of Clinton's character, after all, was not that he was a philanderer but that he was a chronic and shameless liar. That's the harshest criticism even now. Consider this, from the December 25 issue of the *Forward*, a New York Jewish newspaper:

> President Clinton stood before the Palestinian National Council and spoke of two profoundly emotional experiences in less than 24 hours. One of these meetings was his meeting with the children of jailed Palestinian-Arab terrorists. The other experience was meeting Israelis, some little children whose fathers had been killed in the conflict with Palestinians. Israeli government sources who would speak only on condition of anonymity said Mr. Clinton never met with the Israeli children. The White House and State Department did not return calls about whether such a meeting took place. There was no such event on the public schedule of the trip.

Twenty years of misrepresentation of his marriage was the school in which Clinton learned to lie like this.

What we want to know about the people who seek to lead the country is whether they can be trusted. Adultery in a politician worries us because it reveals an ability to deceive. Will the politician who betrays his vow to an intimate also betray his oath to his constituents? The answer to that question is not always yes. But the case of Bill Clinton reminds us that the answer is not always no, either. In Clinton's case, in fact, the two forms of treachery blend so smoothly into one another that it is hard to say where one starts and the other stops.

Post-Clinton, memories of this double-treachery will linger. Which means that a politician with a very checkered sexual past must be able to prove himself trustworthy in other ways. Instead of saying "Go to hell," he must be able, without babbling on about things that are none of the public's business, to reassure the public that he knows how to keep faith. This can be done. John McCain of Arizona has done it: a man who busted up his first marriage with his infidelities but who proved his honor in a Vietnamese prisoner-of-war camp. It cannot, however, be done in the way that the Clintons did—by cajoling an ambitious spouse into projecting a false image of family bliss and then asserting one's right to privacy whenever the press stumbles across a fact that calls the false image into question. That is how one converts a lie to one's spouse into a lie to the electorate. And that is a lie that a would-be leader of the country should scorn to tell—or, through the artful or blustery avoidance of questions, even to insinuate.

David Frum, a contributing editor to* THE WEEKLY STANDARD*, is completing a book on the 1970s.

MAYOR MOONBEAM

by Debra J. Saunders

Oakland, Calif.

"HE'S DEFINITELY EVOLVED in the 20 years since he's been in office," spokeswoman Stacey Wells said of her new boss, Oakland mayor Jerry Brown, last week.

Inaugurations in Oakland have evolved too. The new mayor, now 60, wore his hair in a buzz cut and donned a collarless shirt. Supporters and corporate sponsors attended a private pre-swearing-in meditation session. Martin Sheen would have emceed the festivities, except he got the flu.

Brown was sworn into office under a giant "seed pod" penetrated by a green moonbeam . . . er, laser beam . . . that symbolized technology and greenery, the converging of the old and the new, and some other cosmic stuff.

During his inaugural speech, Brown philosophized on the "transitory quality of things human. What rises, falls; what begins, ends; and what ends, begins again in some new form." Heavy.

Later, citywide festivities featured music from the Naked Barbies, poems from Bay Area bards (including "an ecofeminist, health-care activist, and lesbian theorist" and a "European-American performance poet"), two "organic materials" artists, three art-car artists, and the organizer of the "Subversive Science Fair."

Don't be fooled by all the swami stuff. Brown himself has evolved a great deal, not just since he last held elective office, but, even more markedly, since he started running for mayor.

Last year, when he first entered the mayor's race, Brown posted "Oakland Ecopolis: A Plan for a Green Plan," on his We The People Web site. This was supposed to be a manifesto for the green city Brown would create out of woebegone Oakland.

"Oakland Ecopolis is both far away and very near," the plan for a plan explained. It was packed with Zen wisdom: "A baby smiles and a flower grows." It sneered at wooing mere industry to Oakland, prefer-

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ring to draw small boat craftsmen, organic gardeners, and innovative recyclers. Oakland would "turn the negative externalities of one industry into the resources of another industry. In this scenario, one firm's garbage becomes another firm's gold." His planning guru told the *San Francisco Chronicle* that Oakland Ecopolis was modeled after the Italian hill town of Perugia.

The public education curriculum of Oakland Ecopolis didn't call for challenging the pro-ebonics or insisting on student literacy. It instead called for exercises that let students play at being little urban planners and "a walkabout program" with "field trips to diverse areas of Oakland."

Crime? The plan gave short shrift to drug dealing and drive-by shootings, and instead talked tough about "the plunder of nature's depletable capital and the theft of our children's future."

But a funny thing happened on the way to running for mayor: Brown evolved. "No question, from the summer of '97 to the summer of '98 he changed 180 degrees on some issues," Democratic city councilman John Russo explained.

In 1997, Russo said, Brown was skeptical of fully funding the police department. "His concerns were traditional liberal concerns, like: By the time you get to the police, it's too late—the early-intervention type theory. By the time he finished the campaign, he was talking about what a great job [Mayor Rudolph] Giuliani did in New York and how we have to do the same thing in Oakland."

What changed Brown? Meeting the people of Oakland. Brown attended coffee klatches. He listened to voters. They didn't tell him that they wanted better recycling or more earth-friendly crafts jobs. Their three big issues: crime, rotten schools, and a deserted downtown.

Candidate Brown evolved. He started talking about cutting crime, forcing the schools to shape up, and attracting employers. In June, he won 59 percent on a crowded ballot. (His success at attracting more than 50 percent of the vote spared him a runoff election in November.)

Jerry Brown

Mayor Brown has four goals: reducing crime, creating charter schools, drawing 10,000 residents into the downtown area, and making Oakland a city of arts and entertainment.

Brown's first official act as mayor: He met with Oakland's police chief. In his inaugural address, he talked of filling vacancies on the police force. And vowed: "I will support every lawful action and utilize the criminal justice system to the maximum to rid our neighborhoods of crime and criminal elements. Hear this message: Crime and disrespect for the rights of others will not be tolerated. Period."

"By the time we get finished, there'll be a lot less crime in Oakland than Walnut Creek," Hizzoner boasted.

Brown's ace in the hole: city manager Robert Bobb. Even before Brown was elected, some supporters were arguing that, yes, the peripatetic Brown probably would get bored with the minutiae of governing Oakland. But that was not a bad thing, because Bobb could run the city—better than Moonbeam—leaving Brown free to do what he does best: contemplate his navel and attract national press coverage.

Brown certainly is anxious to upgrade Oakland's image. As he said in his inaugural address, "There's a there there." Deep.

Debra J. Saunders writes a nationally syndicated column for the **San Francisco Chronicle.**

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RECESSION AHEAD?

by David M. Smick

IF YOU ARE PERPLEXED about the state of the American economy, join the club. For most traditional economists, the rules aren't working. No matter how tight labor markets are, how seemingly overvalued the stock market, how dangerous the interest-rate spreads, somehow growth keeps spiraling higher. The economy appears to have achieved a kind of turbocharged efficiency. In the process, America has become a magnet for the world's capital. The resulting bull-market "wealth effect," giving consumers the confidence to spend, keeps generating growth far above the historic trend. With Europe in transition to monetary union and Japan committing slow-motion economic suicide, it's not surprising that global investors seem to believe there's nowhere else to place their money. After last year's Russian default, emerging markets are out. So shouldn't America's flying-carpet ride continue well into the 21st century?

Maybe, but then again maybe not. Tough as it is to bet against the current tide of optimism, consider a scenario not nearly so rosy. What if the almost perverse global capital flight to safety in U.S. financial markets had an ugly underside? Late last year, capital previously invested abroad poured into ultra-safe U.S. Treasury bonds, causing quality spreads (the difference between corporate and government bond rates) to widen dangerously and threatening the U.S. banking system by curtailing lending. The Federal Reserve had no choice but to rush through three quick cuts in short-term interest rates. This may sound great, but can the Fed continue to lower interest rates in the face of already massive and growing current-account and trade deficits? Could a $300 billion trade deficit actually slow down the real economy and cause the dollar to crash, or is the trade deficit a mere benign statistic? That's the great unknown of the next several years.

The early signs are not especially encouraging. While the U.S. economy overall continues its healthy expansion, data from the last six months show a U.S. manufacturing sector close to recessionary conditions. Unused industrial capacity is growing, at a time when employment and consumer demand remain strong. Translation: Americans are buying large amounts of imports. This is because hard-hit emerging economies, particularly in Asia, having shrunk their own imports for the last year, are trying to export their way out of trouble (just compare the price of a color television today with a year ago). The United States, it seems, is at risk of becoming the world's consumer of last resort.

The problem is that Washington could eventually face a difficult choice: absorb further corporate downsizing or succumb to protectionist pressure. During the Bush and Clinton years, American voters and politicians tolerated a massive restructuring and downsizing of the corporate sector. But the country may not be culturally prepared for another wave of Boeing-style layoffs, as the economy is forced to begin competing again with emerging-market economies slowly rising from the ashes. Don't forget, many of those economies will be operating with currencies devalued 40 percent to 70 percent against the dollar.

Notice too that global investors are notoriously fickle. Today enamored of the United States as a safe haven, they could flip-flop and begin to see America as a high-trade-deficit country in the final stages of a historic expansion . . . with a troublingly large bubble in financial assets, all those overvalued stocks. Indeed, ask top European officials their greatest concern today, and they will tell you it is the possibility that the dollar could plummet, leaving the new euro highly overvalued at its inception. The European nightmare is that the next external shock, whatever it may be—a Brazilian devaluation, a Korean banking collapse, further declines in Japanese business confidence—will produce a new round of easing by the Federal Reserve. A weakening of the dollar would then be inevitable (at a time when the Asian economies might no longer be tied to the dollar). Global investors would be tempted to hop off the speeding train—withdrawing investments here and leaving America's equity markets, and the real economy, seriously vulnerable.

The presidential election is less than two years away. Don't be surprised if candidates, including those in the Democratic primaries, begin to harp on the growing U.S. trade deficit. Already, Washington's traditional bipartisan free-trade consensus has vanished. Routine matters such as fast-track trade-negotiating authority are stuck in a Congress increasingly dominated by partisan extremists. Organized labor, which handed the Clinton-Gore administration a significant victory in last year's congressional elections, will demand its due. Before labor goes along with another wave of downsizing, it will apply protectionist pressure in Washington, a city where no one trusts anyone and no one believes in anything. Stay tuned. Maybe the Greenspan-Rubin team can keep working their magic, but flying-carpet rides seldom last forever.

David M. Smick is the founder of Johnson Smick International, which advises global financial institutions, and the editor and publisher of the **International Economy** *magazine.*

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Big Business vs. National Security?

By William R. Hawkins

On December 1, 1998, Vice President Al Gore told an audience of farmers that he favors a review of American use of economic sanctions. "All this excessive use of sanctions in willy-nilly form should be reevaluated," he said. That Gore chose to thus opine at the very time the administration he serves was under pressure at the United Nations to lift sanctions on a still defiant Iraq is disturbing. But the vice president has something besides the U.N. on his mind—namely, courting campaign contributions for his White House bid in 2000, and the eagerness of potential business donors to trade with rogue regimes is pushing him toward embracing "sanctions reform."

The business community's wooing of Gore is just one manifestation of its drive to curb the use of sanctions. At a U.S. Chamber of Commerce briefing in September, Willard Workman, the chamber's vice president for international affairs, castigated Congress for enacting sanctions against Iran and Libya. It turns out the chamber wants to do business with both of those notorious regimes. In September, chamber president Thomas J. Donohue called for repeal of the Iran-Libya Sanctions Act, which he deemed part of "a restrictive, isolationist model that has no relevance to the global community."

But Congress passed the Iran-Libya Sanctions Act unanimously two years ago, leaving the president little choice but to sign it. The law punishes any entity that invests in the development of the Iranian or Libyan oil industry, the principal source of wealth for both governments. As the bill's sponsor, Rep. Benjamin Gilman, said at the time, the act is essential to "cutting off the key sources of funding to those regimes aiding and funding these acts of terrorism and actively developing weapons of mass destruction."

Business objects to economic sanctions not only because they deny U.S. firms the chance to make money off America's enemies, but also because they leave foreign rivals free to do so. As passed by Congress, however, the Iran-Libya Sanctions Act was intended to curtail investment by foreign as well as American firms: It penalized in the U.S. market foreign companies that operate in Iran or Libya. Yet when the first major test of this provision came up, President Clinton used his waiver authority to escape having to impose sanctions on France's Total, Russia's Gazprom, and Malaysia's Petronas, three corporations planning to help develop Iran's offshore oil. Even Mobil, in one of its advocacy ads, had to admit that "the waiver leaves the door wide open for further foreign investment in Iran." Mobil endorsed the waiver anyway, out of principle—the principle that governments should not "disrupt the free flow of capital, people, products and ideas" in pursuit of international goals. It seems big business wants to run U.S. foreign policy.

BIG FIRMS, EAGER TO MAKE MONEY OFF AMERICA'S ENEMIES, SEEK TO HAVE ECONOMIC SANCTIONS WAIVED, AND THE WHITE HOUSE OBLIGES.

One of the most underreported stories of the 105th Congress was the business groups' assault on the use of sanctions. The leader in this campaign is USA*Engage, an organization created in April 1997 by the National Foreign Trade Council specifically to fight sanctions. Though the council claims 674 members from industry and agriculture, Frank Kittredge, council president and vice chairman of USA*Engage, admits that only 50 to 100 companies actively participate. "USA*Engage was formed because a lot of companies are not anxious to be spotlighted as supporters of countries like Iran or Burma," he says. "The way to avoid that is to band together in a coalition."

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Among the active members of USA*Engage are Unocal, which owns a billion-dollar natural gas pipeline in Burma in partnership with the military dictatorship; Caterpillar, which operates, notably, in Burma, Sudan, Indonesia, China, Colombia, and Nigeria; Boeing, for which China is a major market and an increasing source of aircraft components; and Westinghouse, which has pressed hard for lifting the ban on nuclear power exports to Beijing.

The basic arguments used by the anti-sanctions business campaign were set out succinctly in Kittredge's congressional testimony last February. His main point was that

> unilateral sanctions have a dramatically unsuccessful track record in achieving their own objectives. . . . There are few, if any, countries today that are so economically dependent on the U.S. that acting alone we can coerce them into making changes that they would not otherwise make. This results from the obvious fact that in a globalized economy, there are abundant non-U.S. exporters, as well as investors, ready to replace excluded U.S. firms. Likewise, there are few countries that are crucially dependent on the U.S. export market.

SANCTIONS SERVE THE PURPOSE OF WEAKENING A HOSTILE STATE. SHOULD WAR ENSUE, THIS COULD SAVE THE LIVES OF AMERICAN SOLDIERS.

It is certainly true that sanctions are most effective when they are multilateral. To put together multilateral alliances, however, requires leadership—which the Clinton administration refuses to provide. Indeed, its waiver of the Iran-Libya Sanctions Act was characteristic. Clinton also: waived sanctions on China for shipping to Pakistan 5,000 ring magnets, which can be used in gas centrifuges to enrich uranium; agreed at the 1998 G-8 summit not to apply to European firms the sanctions required under the Iran-Libya Sanctions Act and the Cuban Democracy Act; and vetoed the Iran Missiles Sanctions Act, which would have penalized firms that contribute to Iran's missile program. These actions signaled to other governments that the United States is not interested in limiting the military-industrial expansion of rogue states until they become dangerous enough to warrant a visit by cruise missiles.

Clinton's indifference to alliance building is also evident in regard to Iraq. Saddam Hussein has been able to use the lure of economic gain to split the Gulf War coalition, turning France as well as Russia against U.N. sanctions and leaving the United States increasingly isolated as the advocate of stronger measures.

Knowing the Clinton administration's softness on sanctions, USA*Engage and the Chamber of Commerce endorsed a bill to "reform" the sanctions process. Introduced in the Senate by Richard Lugar and in the House by Phil Crane and Lee Hamilton, the legislation would have made the imposition of sanctions more difficult by requiring an assessment of whether the sanctions would "work" and how much they would cost U.S. business. In addition, all sanctions would have expired at the end of two years unless reauthorized following a new cost-benefit analysis. The bill would have effectively shifted sanctions policy out of Congress, where foreign policy hard-liners and social conservatives have strong voices, to the White House. The CEOs of 53 major transnational corporations endorsed the bill, but the Senate killed it on a vote of 53-46.

The study of the effectiveness of economic sanctions cited most often by the anti-sanctions campaign is *Economic Sanctions Reconsidered: History and Current Policy* (1990), by Gary Clyde Hufbauer, Jeffrey J. Schott, and Kimberly Ann Elliott. Although conducted for the pro-trade Institute for International Economics, this assessment found 35 percent of the cases reviewed to have been "at least partially successful." This is a higher success rate than one would gather from the business lobbyists. Sanctions are most likely to be effective, Kimberly Elliott told a congressional committee in October 1997, when the goal is relatively modest; the target country is much smaller than the country imposing sanctions; the target is economically weak and politically unstable; and sanctions are imposed quickly and decisively. The institute's research found that the average economic cost to the target country when sanctions were successful was 2.4 percent of GNP.

This suggests that if a country with the size advantage of the United States were really to strangle commerce with the typical rogue state, its chances of doing substantial damage to the target economy would be quite high. Indeed, the GDPs of Iran, Cuba, Syria, Sudan, Iraq, Burma, and Libya add up to about $620 billion, a fraction of the $7.6 trillion U.S. GDP in 1996. China's economy, estimated at about $1 trillion, is in another league. Yet China's sheer size is not enough to compensate for its technological underdevelopment. Chinese exports to the United States alone account for 7 percent of China's GDP, 15 percent of its industrial output, and 40 percent of its exports. Amer-

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ican economic leverage even over China is thus significant.

The purpose of sanctions, however, is not to inflict economic damage for its own sake. In many cases, the purpose is to withhold the trade revenues that fuel military expansion. Anthony H. Cordesman of the Center for Strategic and International Studies notes that neither Iran nor Iraq can afford to modernize its arsenal across the board because of "the focused poverty in the northern Gulf" attributable partly to sanctions. (Both these regimes' determination to develop whatever weapons systems they can, however, suggests that any increase in their resources would only be invested in military buildups; thus sanctions should be maintained.)

To note that sanctions can weaken a target country is not to pretend that they will bring surrender on key issues. When business lobbies complain that sanctions cannot achieve ultimate U.S. objectives—cannot transform the target government's behavior or replace its leaders—they set the bar too high. On matters of grave importance, governments rarely give in to economic pressure. The reason the threat of sanctions did not deter Pakistan and India from conducting nuclear tests is that they deemed their national security to be at issue. The political stakes simply dwarfed the commercial stakes. Were some foreign regime or international tribunal to impose sanctions on the United States, public opinion here too would support defiance.

But diplomacy is not a go-for-broke business. It is a process through which relationships evolve, improving or deteriorating in sometimes subtle increments. And in this process, sanctions are useful bargaining chips. Indeed, even big business endorses the use of sanctions to win trade concessions beneficial to American firms. It is only when sanctions are employed to advance national security or human rights that the business community objects, myopically citing the negative impact on commerce. In fact, most economic sanctions take the form of conditions attached to foreign aid or to Export-Import Bank financing or requirements that certain topics be discussed when decisions are made about multilateral financial assistance.

Stronger measures signal that it is risky to invest in or trade with the target state. Relations may deteriorate further, to blockade, reprisals, subversion, or even war. The United States has already had military confrontations with many of the states that are the targets of the heaviest sanctions (Iran, Iraq, Serbia, Cuba, Libya, Sudan). Sanctions curtail the flow of resources to the target or require it to pay a "risk premium" to do business. Even if foreign firms move in to fill the gap left by American firms, the sanctioned regime will end up paying more and getting less. This is particularly true in areas of advanced technology where the United States holds a global edge. Thus, sanctions serve the purpose of reducing the hostile state's capabilities. Should war ensue, this could save American lives.

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If foreign economies a fraction the size of ours can withstand the pain of sanctions, as business critics allege, then it would seem the massive and robust American economy should scarcely notice the cost of imposing them. This is the advantage of being a Great Power. Yet, business lobbyists constantly whine about the intolerable burden sanctions impose on the United States. Their attitude exposes an imbalance of will that would work to the benefit of foreign despots, should the business view become the basis of U.S. policy.

What, in fact, is the cost to the United States of employing economic sanctions? The big-business lobby warns that sanctions cost $15 billion-$20 billion in U.S. exports annually and 250,000 jobs in export industries. These figures come from a 1997 Institute for International Economics study released at the debut press conference of USA*Engage.

Other analyses are more sanguine. A survey of 492 firms and trade associations released by the International Trade Commission in September found "most respondents [indicating] that the economic effects of U.S. unilateral economic sanctions are small because many of the countries targeted for sanctions are mainly low-income countries with relatively small markets." But even if the $20 billion figure is right, it points to minimal impact on a $7.6 trillion economy at full employment.

THE HOUSE SELECT COMMITTEE CONCLUDED UNANIMOUSLY THAT TRANSFERS OF TECHNOLOGY TO CHINA HARMED THE NATIONAL SECURITY.

The National Association of Manufacturers claims that in the last four years, the United States authorized "unilateral economic sanctions targeted against 35 countries that account for 42 percent of the world's population and $790 billion worth of export markets." Nevertheless, American exports increased by 54 percent from 1992 to 1997, according to the Office of the U.S. Trade Representative. In 1997, U.S. exports in goods came to $678 billion.

But if the United States is missing out on export opportunities, what are they? The development of the oil industries in Iran and Libya has already been mentioned. The "big emerging market" in China is also cited. But what does China want? When Commerce Secretary William Daley called on China to open its market to increased U.S. exports and reduce the nearly $60 billion trade deficit expected this year, the official *China Business Weekly* replied that Beijing's efforts to make large-scale purchases have been frustrated by U.S. restrictions on high technology products. These restrictions exist, of course, because of China's record of applying imported technology to military projects, both in China and in cooperation with Iran, Syria, Libya, North Korea, and Pakistan. China is looking not for American consumer goods, but for technology and investment to build up its military-industrial base and to aid its anti-Western allies.

Faced with alluring opportunities, transnational firms are not about to exercise self-restraint. The USA*Engage statement of principles insists, "America has a vital interest in being a reliable supplier of cutting-edge technology, infrastructure, manufactured products, services, agricultural commodities, and food products throughout the world." It would be more accurate, of course, to say that *some firms have an interest* in being considered reliable suppliers. National security interests are endangered when certain kinds of "cutting-edge technology, infrastructure, and manufactured products" are supplied to hostile regimes.

Some foreign leaders are perfectly frank about this. As Chinese general Ding Henggao has written,

> World competition is essentially about comprehensive national power, and the key is the competition in science and technology. . . . We should seize every favorable opportunity to import advanced technology from abroad, especially new and high technology.

At the time he wrote this, Gen. Ding was not only chairman of China's Commission of Science, Technology, and Industry for National Defense but also a member of the "Local War" faction, which sees near-term conflict in East Asia as a real possibility.

The U.S.-China trade imbalance allows China to build up hard-currency reserves and thus feeds Beijing's ambitions. Kent Calder of Princeton University points out that, with Russia holding the greatest military yard sale in history, "the Chinese, flush with hard currency from their soaring, multibillion-dollar trans-Pacific trade surpluses, stocked up." Their purchases have included everything from tanks and fighter planes to submarines and missile-armed warships. Some 1,500 Russian engineers and technicians are working in China, and hundreds more are on retainer, using an e-mail network between Russian and Chinese defense research institutes.

These same hard-currency reserves tempt firms around the world to sell China whatever it wants. In 1994, a World Bank study concluded that this was the

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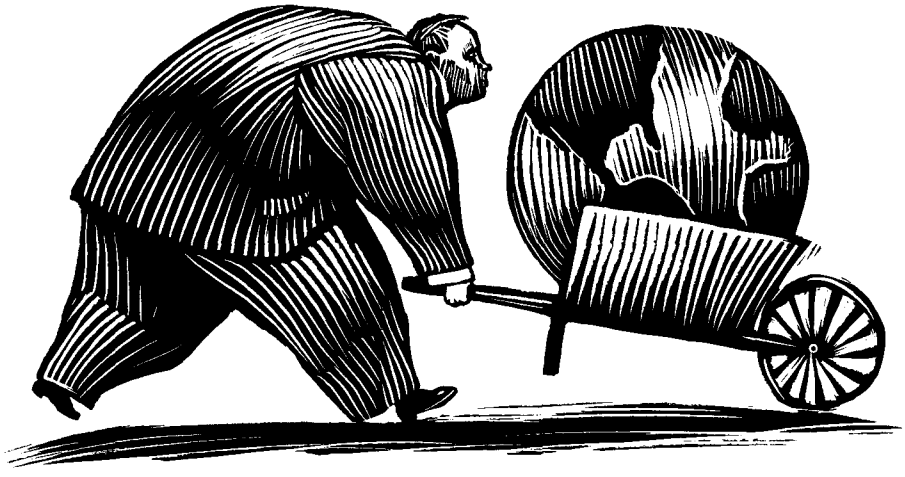
major goal of China's trade policies: "China's approach to trade policy so far has been 'mercantilist,' i.e., motivated by achieving export growth for the sake of generating foreign exchange without sufficient regard to its cost."

The axiom is that both parties to a commercial transaction benefit. But in the case of trade between American corporations and rogue regimes, the U.S. gains consist of private profits, while the gains to the regimes are increases in state power. Each of the countries facing the heaviest U.S. sanctions has a socialist command economy, whose principal economic actor is the regime itself. Strengthening such regimes so that U.S. companies can prosper is a Faustian bargain, to which the U.S. government must not consent.



Kevin Chadwick

The business community cannot ignore the threat posed by rogue regimes, both to U.S. national security and to American values, without losing its credibility. Thus, it attempts to offer an alternative strategy that puts commercial activities in a favorable light: It offers the concept of "engagement."

"The U.S. government should promote engagement at all levels—political, economic, charitable, religious, educational and cultural—as the best tool to advance America's interests overseas," says the USA*Engage statement of principles. In this formulation,

> American engagement abroad is a powerful tool for change, and economic engagement is a key element. Businesses and farmers—exporting, investing, purchasing—promote safe working conditions, social infrastructure, human rights and economic growth—which leads to greater personal and political freedom.

The Clinton administration first embraced engagement in 1994, when the president de-linked human-rights concerns in China from trade, largely as a result of intense business lobbying. The same year, the administration ended COCOM, the multilateral export-control system established during the Cold War to police the transfer of technology to hostile states (Communist regimes, originally; then starting in the 1980s, "rogue" and "terrorist" states, too). In October 1996, the Clinton administration transferred primary responsibility for approving the export of commercial communications satellites from the State Department to the Commerce Department, thus placing the desires of business ahead of the concerns of the security community.

On October 19, the *New York Times* published a major study of Clinton's security-related trade policies by Jeff Gerth and Eric Schmitt. "Senior officials acknowledge," they wrote, "that President Clinton decided to change the rules [restricting security-sensitive exports] without a rigorous review by intelligence officials or other national security experts." Instead, the policy shift was driven by the president's desire to "fulfill his vision of a centrist Democratic Party with close ties to American business." Gerth and Schmitt found that the shift had brought the desired results, as "grateful high-technology companies showered the Democratic Party with campaign contributions, cementing a new financial base for a party that has historically struggled to raise money from corporate America."

Engagement has become the central tenet of the Clinton administration's worldview. U.S. Trade Representative Charlene Barshefsky speaks of "a new system of international relations" with international trade at its "heart." Big business agrees. Even in the midst of controversy over a breach in national security, the Chamber of Commerce sent a letter to President Clinton stating, "While we support a full investigation into the recent allegations of improper satellite technology transfers to China, we continue to believe

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that national security interests are best served by engagement with China."

A bipartisan House select committee that spent six months investigating the allegedly improper transfers saw the matter differently. In a classified 700-page report filed with the speaker and minority leader on January 2, 1999, the members unanimously concluded that the transfer of sensitive technology to China has damaged national security. The committee looked beyond the use of Chinese missiles for launching American satellites. Its chairman, Rep. Christopher Cox, stated that Beijing's "targeting of sensitive U.S. military technology is not limited to missiles and satellites, but covers other military technologies" as well.

The chamber made the case for unfettered engagement even more sweepingly when it announced its opposition to the Freedom from Religious Persecution Act. "By their very presence and operations," it said,

> American companies and the expatriate communities that depend on them contribute mightily to economic, political and religious freedom in their host countries. Continuing U.S. company presence and engagement abroad is critical to the inculcation of American civic values, including religious tolerance.

Like the 19th-century radical Richard Cobden, the business groups seem to believe that commerce is "the grand panacea" under whose influence "the motive for large and mighty empires, for gigantic armies and great fleets, would die away." They would surely agree with Neville Chamberlain when he said, in support of economic engagement with the rogue states of his day, "Trade, like religion, should recognize no frontiers." Yet for most states, especially those with expansionist ambitions, other principles are decisive. Louis XIV's finance minister, Jean Baptiste Colbert, saw that "trade is the basis of finance, and finance is the sinew of war."

Useful though sanctions are as tools for denying resources to hostile states, they may be even more valuable for heading off a danger exemplified by the anti-sanctions campaign itself: the danger that U.S. companies will develop excessively close ties with foreign adversaries.

For it seems that engagement has the opposite effect from what its proponents claim. Firms with investments in or trade ties to existing regimes, instead of influencing the regimes to change, seek to protect their own interests: They lobby Washington to appease the regimes. Change is dangerous for those who have become collaborators. The breadth of support in the business community for the anti-sanctions campaign demonstrates that the mere lure of possible profits, let alone the defense of actual profits, is enough to draw leading corporations and business groups into political partnership with tyrants. Together, they would steer U.S. foreign policy in directions that benefit overseas regimes, while protecting the assets and aspirations of U.S. firms.

Signs of this alliance are everywhere. The Web site of USA*Engage is full of editorials and articles in support of Secretary of State Madeleine Albright's abortive gambit to develop "a road map leading to normal relations" with Iran. One Mobil ad, from last June, praises Iran for having "muted its opposition to the Middle East peace process, stepped up its war on drugs, and earned high marks for its treatment of Iraqi and Afghan refugees. Earlier this year, President Khatami denounced terrorism." Another item praises President Clinton's message to fans during the U.S.-Iran World Cup soccer match, calling on both countries to "take another step to end the estrangement between our two nations."

In the same vein, just after the 1996 vote renewing Beijing's MFN trade status, the China Business Congress—an umbrella group of U.S. firms working with China's State Council to promote economic ties—placed a four-page advertising section in *Business Week* and *Aviation Week & Space Technology*. The ad contained the following statement: "China continues to operate a socialist command model, but unlike the old Soviet model, this one works." So much for reforming China! No business will consider it rational to work against the government of a country where it is making money.

In the past, when corporations were more rooted in national ground, commerce tended to follow the flag. Thus, the French government encouraged French firms to develop the infrastructure and industry of Russia, France's major ally, in the years before World War I. Today, corporations are global in their thinking. They are forming their own alliances with foreign firms and foreign governments, which may not parallel the alliances of their "home" country.

If the United States is to maintain its strategic independence in dealing with rogue states and emerging rivals—and so fulfill its responsibility to advance the national interest—it must act to prevent influential sectors of its own society from becoming the allies of adversary regimes. This crucial political purpose transcends economics; yet economic sanctions are uniquely well adapted to achieving it. ♦

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ALTERING HISTORY

By J.P. McGrath

"The president's enemies played on his weak character to get him to commit crimes, then used their majority . . . to try to drive him from office." This is how Jonathan Alter summarized last year's events in a recent *Newsweek* column. It may be the most fatuous journalistic sentence written in a low, dishonest year that offered plenty of competition.

Alter has long been an unabashed Clinton admirer, so it comes as no surprise to find him among those whose "high crimes" standards are located in the nosebleed section. Nor is his penchant for ultra-reductionist rhetoric—"Is Clinton's lying about whether he touched Monica Lewinsky's breasts comparable to treason?"—especially novel any more. But when he offers absolution to the president and shifts all blame to undefined "enemies," he goes beyond routine special pleading and trafficks in the kind of word-mauling dishonesty worthy of, well, you-know-who. It is enough to make one wonder whether favored reporters are now being rewarded by the White House with special weekend tutorials on truth-bending.

GENNIFER FLOWERS ESSENTIALLY PRESSURED CLINTON INTO GETTING HER A PUBLIC JOB; THEN CLINTON COACHED HER TO DENY IT.

There is another distortion in this same column that is even more egregious. Alter claims that the public had been given fair warning of Clinton's character because of what reporters like him had revealed about the Gennifer Flowers episode in 1992. But worn copies of *Newsweek* and the famous *Star* articles about Flowers utterly undermine Alter's claim.

Many have made the general point that Clinton's reputation for womanizing was well known. But Alter goes much further when he writes that voters elected Clinton in 1992 "even though they knew he had told Gennifer Flowers to lie about their affair." Not only is this questionable as a general statement, but it implies that the Flowers affair was thoroughly covered at the time. A review of the 1992 *Newsweek* coverage shows that, although Alter covered the New Hampshire primary race and was in a position to reveal to *Newsweek*'s millions of readers that Clinton had "told Gennifer Flowers to lie about their affair," he did no such thing. On the contrary, Alter, like most of his mainstream media colleagues, trashed Flowers for daring to challenge Clinton's version of reality and neglected to report serious public wrongdoing by the candidate.

In comparison to Alter's coverage of the Flowers story, the *Star* articles today are a revelation. For it turns out that the secret of that affair is that it, too, was not "just about sex." Despite the incessant, seemingly exhaustive coverage of the Lewinsky scandal this year, it is surprising how little attention has been paid to the nonsexual elements of the Flowers story, details that eerily foreshadowed the events of 1998.

Like Monica, Gennifer Flowers pressured Clinton into securing her a taxpayer-supported job. (The nervy intern, of course, turned down her job offer at the United Nations.) As he did with Monica, Clinton aggressively coached Flowers to lie not only to the press about their affair, but also to an official state tribunal investigating whether improper influence was involved in her securing the job. And like our present scandal, the Flowers story was recorded. Taped conversations hold evidence that Clinton's involvement with Flowers went beyond slap and tickle to cover significant abuses of his official powers. In the Flowers story, Clinton's hidden machinations had third-party victims, namely Charlette Perry, an Arkansas state employee who was denied justice and cheated out of her day in court.

In capsule form here is the story, according to Flowers: In late 1991, while he was running for president, Clinton was also busily engaged in an attempt to buy her silence by providing her with a full-time state job. In the *Star* and in her 1995 memoir, Flowers reveals that she prodded Clinton into action by telling him that she was thinking about suing a local station that was airing rumors of their affair because she needed the money. (Shades of Monica threatening to tell her parents why she was not returning to the White House.) Candidate Clinton took the hint with alacrity. He arranged a job for her on the Arkansas Board of

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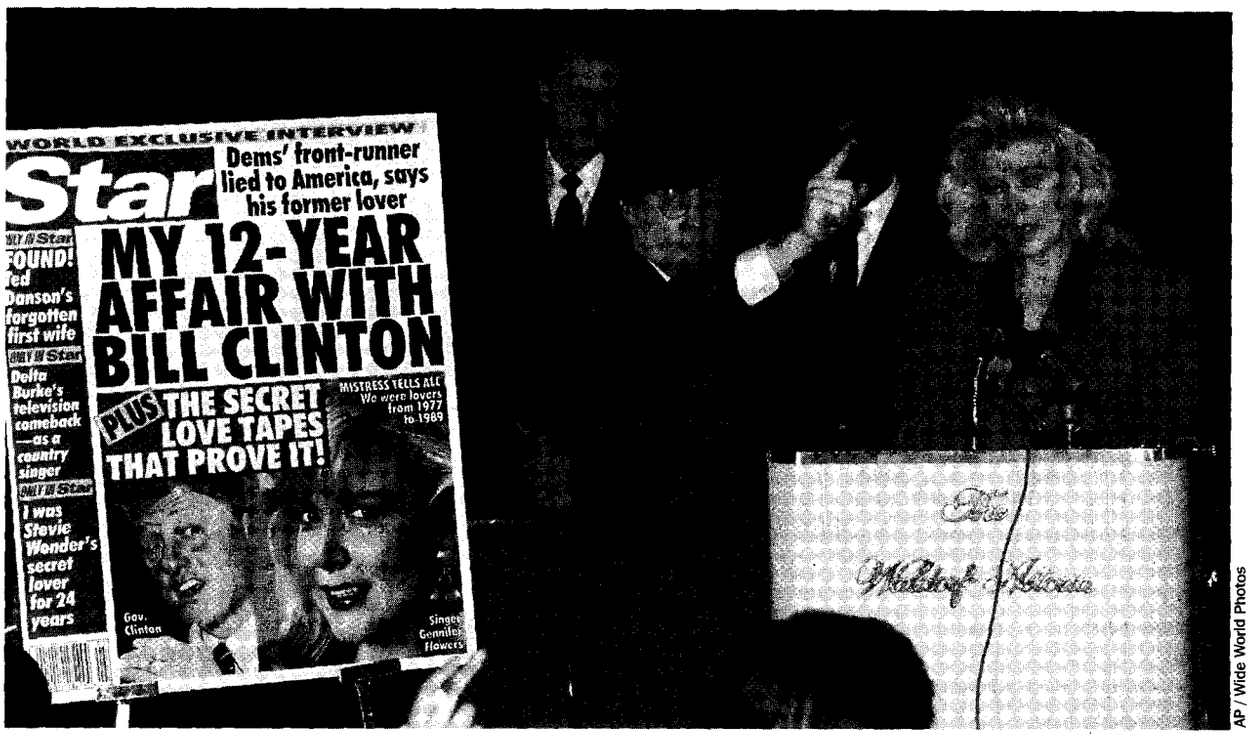

AP / Wide World Photos

Meeting the press: Gennifer Flowers at the fateful 1992 press conference

Review, an administrative position for which the sometime cabaret singer was neither suited nor qualified. A glitch soon developed, however, when an African-American woman named Charlette Perry, who had been promised the position, was displaced by Flowers. Perry filed a grievance with a state agency. The grievance board took testimony and found in Perry's favor. But a Clinton appointee then reversed the grievance board's findings. Flowers was reinstated and Perry was required to report to her.

On audiotapes Flowers secretly made late in 1991, (after Clinton's announcement that he would run for president and a short time before the story broke), there is evidence that Clinton was indeed a full partner in this corrupt episode, just as Flowers claims. He is heard repeatedly being filled in by her on the details of the grievance process. At one point, she describes the lies she told the review board concerning how she first heard about the job opening. "Good for you," responds Arkansas's chief law enforcement officer. Then there is the following exchange:

> FLOWERS: The only thing that concerns me at this point is the State job.
>
> CLINTON: Yeah, I've never thought about that but as long as you say you've just been looking for one. . . . If they ever ask if you talked to me about it you can just say no.

Surely this remarkable misuse of state employment, with its echoes of the Wayne Hays/Elizabeth Ray affair back in 1976, merited at least a mention in the coverage of candidate Clinton. Much of it is on the record, and it is hardly a matter of private behavior. Of course, many of Flowers's actions, like Monica Lewinsky's, reflected as poorly on her as they did on Clinton. And, yes, Flowers's acceptance of a large amount of money from the *Star* lessened her credibility. But the story she told was an eyewitness account, one that abounded in specifics that gave it a ring of truth and was backed up in crucial detail by that omnipresent evidentiary trump card, audiotape.

So how did Jonathan Alter, who now argues that citizens had fair warning of Clinton's character from coverage of the Flowers affair, handle this story? His entire journalistic response to the scandal consists of two columns and one lead story. The first column appeared on January 27, 1992, when the story was breaking. In it he bemoaned the airing of the sex charges, wrote that they "seem bogus" and that both Clintons had denied them. To be fair to Alter, details were still sketchy at this point, so his was an interpretation honorable people might draw. Not so honorably, in the same column, Alter issued what sounded like a threat under the hypocritical guise of predicting one. "GOP operatives . . . examine bedsheets at their peril," he threatened peevishly. "If they insist on dwelling

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on the matter, equally unsubstantiated rumors about an old George Bush affair might resurface." *Might* resurface? This tactic would be underhanded for a political operative; for a political reporter who poses as a media watchdog, it is astonishing.

A week after he first addressed the scandal in his column, Alter wrote *Newsweek*'s lead story on the scandal, which appeared in the February 3 issue. He addressed the scandal a final time in another column two weeks later, after all of Flowers's accusations had been leveled. (The intervening week's abject truckling was ably handled by Eleanor Clift.) Not one word appears under his byline about the state job or on the manipulations of the grievance review process or on the taped admissions of Clinton's secret collusion to deprive Perry of her rights. Nothing, zero, zilch. Nothing about them appears elsewhere in *Newsweek*, either.

So what exactly did Alter write? "The [*Star*] article is riddled with inaccuracies," he announced in his lead story, quickly adding that both Clintons "denounced it." That this was something different from the "denial" of the previous week was surely lost on readers in that dawn of ClintonSpeak. Alter went on to bemoan the scandal itself, characterizing it inelegantly as a "stinking mess" that deserved to be dismissed. Throughout he gave the false impression that Flowers's charges never touched on public corruption. He did warn that "If Clinton is found to have lied about the double life that Flowers alleges, he is in deep trouble." But newshound Alter never found the scent on that trail. Instead, he trashed Flowers, giving over a third of his lead story to breathless attacks on the minutiae of her résumé. (Does she claim to have toured widely as a singer for Roy Clark's backup band? Well, not so fast—others say she exaggerates!) Despite evidence of serious wrongdoing by a leading presidential candidate, Alter never got around to warning the public about Clinton.

Since the decline of party bosses and the smoke-filled room, the campaign gauntlet and the scrutiny of a skeptical press were supposed to vet candidates, rooting out the problems that might otherwise surface only after it's too late. In hindsight, of course, the breakdown of this monitory function in the case of Clinton is glaringly, embarrassingly obvious. Jonathan Alter dramatically botched his first draft of history. He now compounds the journalistic travesty by arguing that people were fully informed back then. But, what they got back then from his pen was little better than a whitewash.

That first column on the Flowers affair appeared exactly six years before the Great Lewinsky Finger Wag of January 26, 1998. After the smear against Bush, Alter went on to declare that Gary Hart had "gotten what he deserved" in 1988 for his "recklessness" with Donna Rice, before airily dismissing the pertinence of Clinton's wrongdoing, if any. In a classic sentence that combined tanking for Clinton with whatever is the opposite of prescience, Alter concluded, "No one has explained why, in Clinton's case, any of this is relevant to how he would conduct himself as president." ♦

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I did what anyone would do. I asked Him, "Is what follows a fair version of our discussion?"

"Well, let's hear what you have to say," He responded.

"About this president. Isn't it a high crime and misdemeanor that he's damaged the presidency dangerously? Hasn't he set the worst example for his fellow citizens and especially the impressionable youth of the country?"

"It's not for Me to stand in judgment of this president. I made him president because of great talents particular to him. You must know how much I care for and love America. He has done what he has done of his own free will. He's punished himself," He replied.

"But, Sir, this president seems to have it all his way. He will accept censure. He's said as much. Does that not make him part judge and jury. Is that fair? Is that impartial?"

"That's maybe so," He continued. "It's not for Me to let loose upon this president the wrath of heaven. It's for this president to call this down upon himself."

"If he's done wrong. If he gets away with it. If he's the judge and jury. Does not one look to You to right a wrong?"

"At one time, the majority nailed Me to a cross. The minority then could only stand by and watch, 80% is the majority now favoring the president. Look at it this way," He said.

"Yes, Sir, please go on."

"Today, all over the world I am in the majority and those who crucified Me are simply a minority. Time and history joined My side. Who's to say now or in time it won't be the same for this president. The majority may turn against him. Only a minority will be for him. Right triumphs over wrong, when all is said and done."

"So, that's it," I said.

"Listen to these words," He answered me. "They're from a well known hymn which has stood the test of time. 'Once to every man and nation comes the moment to decide. In the strife of Truth with Falsehood, for the good or evil side.'"

"Is that all?"

"It's all you or anyone needs to know. I will not take America's hand in Mine and lead it down a path of righteousness. I love America enough to trust in it. A good man will be honored, a bad man punished. Yes," He assured me. "You have it right."

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Happiness & the Modern Woman

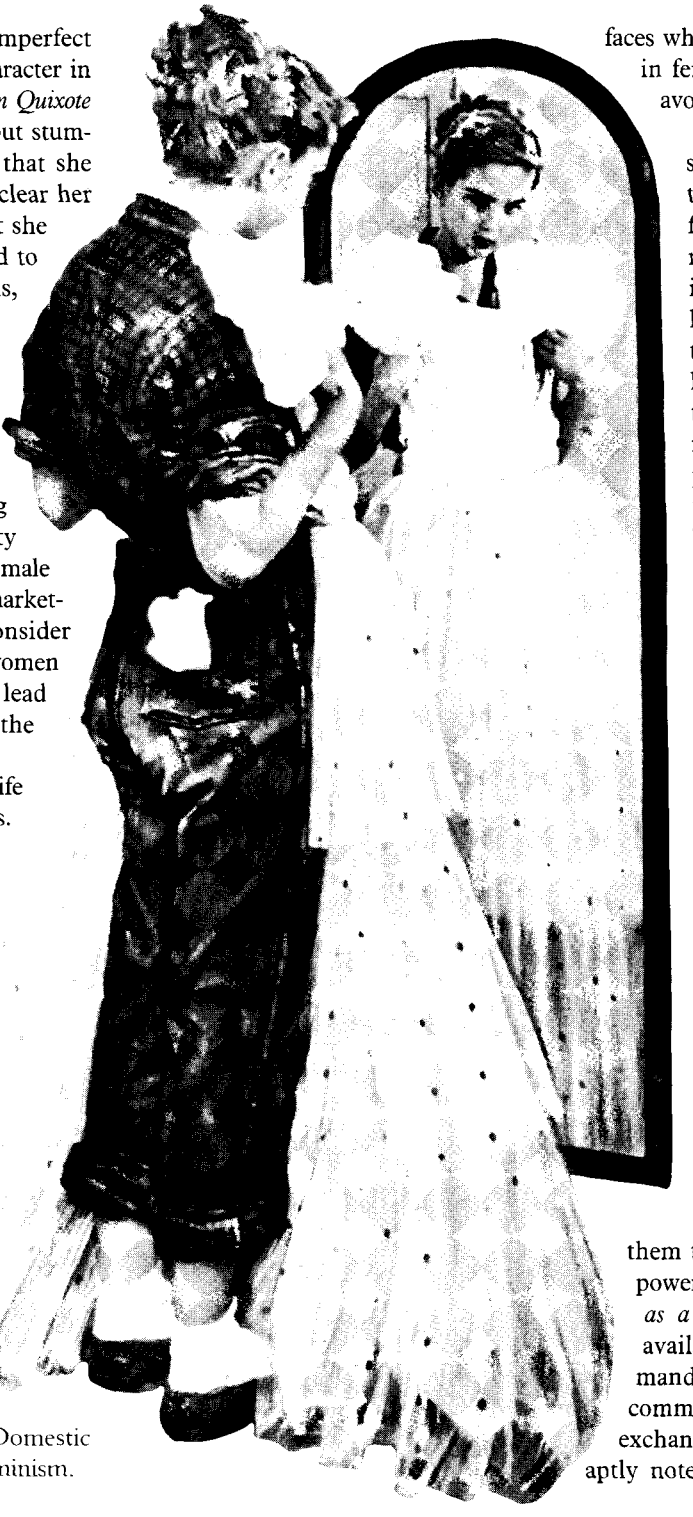
Danielle Crittenden's Diagnosis of Love in the Ruins

By F. Carolyn Graglia

"Woman is an imperfect creature," a character in Cervantes's *Don Quixote* declares, "and you must not put stumbling-blocks in her path, so that she may trip and fall, but rather clear her road of every obstacle, so that she may run free and unburdened to gain the perfection she lacks, which consists in a good life."

It was during the 1960s that feminists preached, with astounding success, that a good life for women can't be found in the home. The traditional female roles of bearing and rearing children, society was taught, are inferior to the male role of working in the public marketplace. And whether they consider themselves feminists or not, women in enormous numbers today lead the life scripted for them by the feminists.

It is, as Cervantes put it, a life strewn with stumbling blocks. The fact that many women have tripped and fallen, never to recover—and the fact that few women have actually found a good life following the feminists' script—is ably demonstrated by Danielle Crittenden in her new work, *What Our Mothers Didn't Tell Us*. This wonderful, breezy book reads as easily as all the women's magazines its author uses for her evidence. But it bravely faces what those magazines, steeped in feminist ideology, steadfastly avoid.



F. Carolyn Graglia is author of Domestic Tranquility: A Brief Against Feminism.

The first stumbling blocks strewn in women's path were the sexual revolution and the feminists' demand that women mimic male promiscuity. Crittenden remembers her own sexual indoctrination as a girl, listening with her classmates to sex-education courses delivering the message that girls should just "do it," in the same way they do math and English. This message—relentlessly reinforced by television, the recording industry, and movies—gave us a society in which well-educated, middle-class girls created a market of free sex to replace prostitutes. And the inevitable result was that men became increasingly unwilling to marry or stay married.

Crittenden is the editor of the *Women's Quarterly*, the polished and witty journal published by the Independent Women's Forum in Washington, D.C. In her book, she admonishes women to recognize the differences between male and female sexuality, advising them that they will regain sexual power over men only "if women *as a group* cease to be readily available—if they begin to demand commitment (and real commitment, as in marriage) in exchange for sex." As Crittenden aptly notes, if women today cannot

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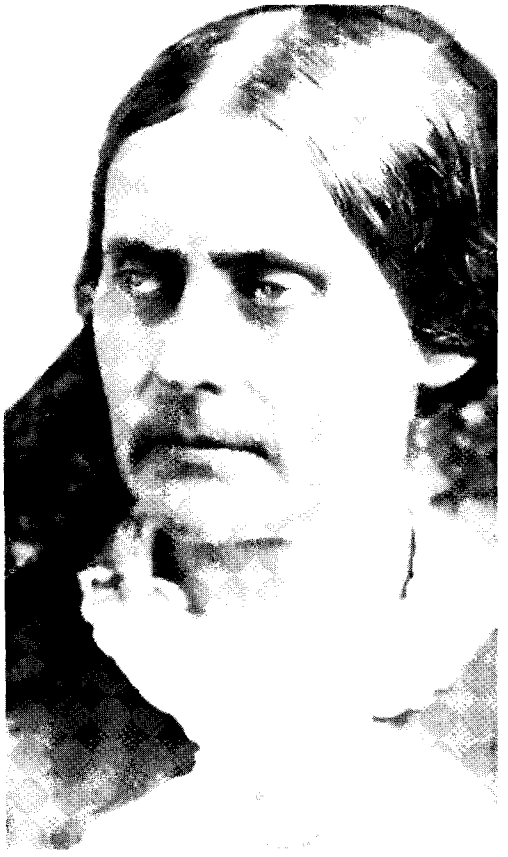

Suffragette Susan B. Anthony in the 1870s, Ms. *magazine's Gloria Steinem in the 1970s, and the* Women's Quarterly*'s Danielle Crittenden in the 1990s.*

find a Mr. Knightly—the paradigmatic committed male in Jane Austen's *Emma*—it is because women have ceased to be Emma Woodhouse. The title of *What Our Mothers Didn't Tell Us* is a little mistaken: Many mothers did tell their daughters this. But Crittenden's observation that even the most conservative women she knows "would never disavow their right to sleep with whomsoever they please" indicates how far today's women are from being Emma.

And yet, the return to Emma may happen, for the evidence is increasingly available to women that their sexual behavior affects their own and other women's ability to find husbands. Women also know that the sexual revolution's legacy in America has been the Western world's highest rates of sexually transmitted diseases and abortion. And then, as Crittenden so well describes, there are the gloomy prospects of the women who gave up everything for careers.

Crittenden zealously dissects her generation's egalitarian marriages, showing how indistinguishable husbands and wives—both seeking independence and careers—have converted marriages into pseudo-homosexual partnerships lacking the sexual differentiation and mutual dependency that hold marriages together. The woman who gives birth in such a partnership is at serious risk: The husband has no thought of being the sole breadwinner, no-fault divorce makes desertion easy for him, and yet she may now want only to stay home with her baby. Hasn't the time come, asks Crittenden, to admit that even the 1950s had it better, when the stay-at-home mother was still accorded status and security, rather than being seen as the freakish parasite that feminists convinced society she was?

Danielle Crittenden
What Our Mothers Didn't Tell Us
Why Happiness Eludes the Modern Woman
Simon & Schuster, 224 pp., $23

What Our Mothers Didn't Tell Us manifests the great joy that some women find in sustained contact with their children. And it gives voice to the wrenchingly ambivalent feelings of those women who long to be at home—despite the feminist teaching that they will have no identity without a job.

Here, however, Crittenden falters somewhat. Just as she accepts feminist myths about the past—that fathers, for example, were aloof from their children and that women were forced into domesticity and denied careers—she seems, like the feminists, to believe that all women are the same. A working mother, says Crittenden, can never stop thinking about her child and suffers from "the guilty tension that is felt by every working mother at nearly every moment of her working day."

But one has only to read, for example, Susan Chira's *A Mother's Place*, to realize this isn't true: It's being *with* her children that causes Chira tension. She cut short her maternity leaves, citing the depression she felt caring for her babies. Chira says she is happy with a motherhood that involves only a brief time with children in the morning and evening, and I believe her. In the same way, one has only to read Justice Ruth Bader Ginsburg's comments on child-rearing to believe that she never suffered from maternal yearnings to be with her children more than her career permitted.

UPI / Corbis-Bettmann; UPI / Corbis-Bettmann; Simon & Schuster

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No one compels us to have babies, Crittenden argues, and if we do, we have an obligation to care for them. That's true enough, but some women are content to hire others to do the bulk of the caring. Crittenden cannot assume these mothers want their children any less than she and I want our own.

Similarly, I don't think Crittenden's criticisms of older mothers are justified. An older mother, says Crittenden, "will certainly be further away from having natural empathy with her child from that vivid sense of what it is like to be young." She then criticizes the older mother who will not leave a baby with a sitter or whose nine-month-old still wakes up at night "because the mother had decided that it would be traumatizing to let the child cry itself back to sleep." These women, she believes, are working too hard at motherhood "the way they once would have worked on their most important accounts."

And yet, it may be that older women, despite their greater distance from childhood, have more, not less, natural empathy. I had my first child at about the same age Crittenden had hers, but my child-rearing was that of these older mothers. I rarely left my babies with sitters, and they never cried for longer than it took me to reach them. This did not seem difficult, although I had no household help. One of our daughters was always an uneasy sleeper, and she would wake me when she needed to talk. She is now a pediatrician. I do not believe she faults my decision not to let her cry in her crib, and she has told me that she has happy memories—as I do—of our late night talks.

There are good reasons for not postponing childbearing, but poor mothering by older women is not one of them. Crittenden would like all mothers to stay home with their children for a few years and believes this is more likely to happen if women bear children when young. In Crittenden's scenario, the young mother can "enter the workforce or go to graduate school" when "her second child is toddling off to nursery school." But for Susan Chira this is already too much mothering, and for me it would have been too little. My children toddled off to nursery school for two and one-half hours on two or three mornings of the week, only enough time for me to keep a doctor's appointment, shop, or read peacefully. Who will tend this toddler during the rest of the day and the older child after school? Who will care for them when they are sick? How much time will this mother have for them when she returns at night?

Any serious attempt to go back to school or pursue a career recreates the problems that Crittenden so cogently analyzes of the overworked mother in the unstable egalitarian marriage. When women seek to achieve in the workplace at the same level as men—as some women have always wanted and done—their children will be raised largely by surrogates. If these mothers are content with this, it is fruitless to try to convince them otherwise.

But for those mothers who want to remain a large part of their children's lives—to be there long after they toddle off to nursery school—the stumbling blocks that feminism has placed in their way must be removed. Crittenden correctly states that no-fault divorce has "robbed women of a choice that belonged to every previous generation of women—the choice to care for their children and expect support from their husbands for doing so." She concludes, however, that "the legislative efforts to shore up marriage are probably doomed." But if these efforts are doomed, then the goal of stable marriages is also doomed. Divorce reform is crucial.

Nor can we avoid facing the abortion issue. While Crittenden laments women's lack of attention to their children, she ignores abortion. The high rate at which women eliminate their unborn children is one reason they have been so susceptible to the feminist message about the waste of time spent with their born children. All of Crittenden's excellent arguments will avail little unless we also use them to dismantle the legal regime that has placed so many stumbling blocks in the way of women seeking, as Cervantes said, the perfection they lack: a good life. ♦

A Modest Proposal

Wendy Shalit Rediscovers a Lost Virtue

By Melinda Ledden Sidak

The sexual counterrevolution is at hand. And contrary to the darkest fears of some, it is being led not by Bible-thumping fundamentalists or prune-faced matrons with beehive hairdos. It's being led by young women looking for romance.

In *A Return to Modesty: Discovering the Lost Virtue*, Wendy Shalit—a twenty-three-year-old just two years out of college—argues that the sexual revolution has been a disaster for women. It has prematurely robbed girls of their innocence, coarsened their feelings, deeply wounded their self-respect, and damaged their physical and mental health.

Though the widely published reports of the crises of young women—low self-esteem, male violence, and all the other afflictions decried by feminists—are overblown, Miss Shalit has no doubt that they spring from a real source: the false notion that a woman's sexual desires and attitudes are indistinguishable from a man's. And salvation, she thinks, lies in the restoration of sexual modesty—the return to a feminine virtue jealously guarded by girls and their parents, and respected, even treasured, by men.

Neither Miss Shalit nor her parents can be described as typical. Unlike the

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Temperance fighter Carrie Nation in the 1920s, the Eagle Forum's combative Phyllis Schlafly in the 1960s, and conservative writer Wendy Shalit in the 1990s.

UPI / Corbis-Bettmann; AP / Wide World Photos; Free Press

baby-boomer mothers and fathers who were either absent or terrified of seeming uncool, Miss Shalit's parents objected to explicit sex-education classes all the way back when she was in the fifth grade—making her sit alone in the library while her classmates discussed questions like "What is 69?"

When the time came to go away to college, Miss Shalit caused an uproar at Williams College by objecting to coed bathrooms, and then arguing in class that men and women might be, well, different in certain key respects. In search of customs that celebrate the difference between men and women, Miss Shalit became fascinated by the long skirts and dating rituals of Orthodox Jews. Eventually, she adopted more modest dress herself. And her decision to remain a virgin until marriage became a principle that she was willing to defend in public.

The feminists who first burst upon the scene in the 1960s upheld a view of human sexuality as androgyny: What men and women want from sex, and what they do in sex, are one and the same. Miss Shalit's contention is that this androgynous ideal objectifies women far more than did the Victorian ideal those feminists decried. Indeed, the feminist view seems indistinguishable from a deeply held misogyny—a hatred of anything in women that seems different from men and a despising of the marriage, children, and home that most women hold dear.

But try as the androgynists might, Miss Shalit argues, traditional feminine virtues and aspirations cannot be completely suppressed. They will always find expression; and when their natural expression is curbed, they will make their appearance in pathological ways:

> We seem to have spawned a generation of girls whose thwarted feminine nature is reasserting itself in grotesquely distorted forms—in food hang-ups (that culturally acceptable way to create social distance), in self-mutilation (often, and poignantly, directed against the feminine, most unacceptable, parts of their bodies), or in charges of sexual harassment and date rape.

The idea that young women are facing unprecedented psychological problems first gained currency in the early 1990s and has been the subject of several recent bestsellers, including Mary Pipher's *Reviving Ophelia*. Though not supported by much data, this notion of a "girls' crisis" has been embraced by feminists, education bureaucrats, and gender-equity specialists as a rationale for new government programs. One complaint about *A Return to Modesty* might be that Miss Shalit accepts the existence of this widespread "girls' crisis," based on little evidence other than the assertions of feminist authors and the anecdotes and letters in such popular women's magazines as *Glamour* and *Seventeen*.

But, once we grant her this questionable assumption, Miss Shalit profoundly differs from the feminists in her diagnosis. Even in the absence of a full-blown crisis, Miss Shalit argues convincingly that sexualizing women early on—sending teenaged girls off into the arms of casual lovers—leaves those women feeling used, anguished, and degraded.

The letters, personal stories, and articles that Miss Shalit has culled from women's magazines do seem to reflect something about the sexual and romantic anxieties of the average young woman of today. And the portrait they paint is a depressing one.

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Our culture expects teenagers to engage in premarital sex, it affords them explicit instruction on how to do it, and it provides no reasons not to. "To the extent she has no social support in her decision to say no," writes Miss Shalit, "when a girl for whatever reason wants to say no to sex today she is always making a personal comment on her date: that he is ugly or in some other way unappealing." The letters to *Mademoiselle* pour in with the same basic question, "How can I keep a man from pressuring me for sex before I'm ready to be with him?"

This lack of cultural support is compounded by negligent, often absent, parents. Miss Shalit describes a fourteen-year-old girl named Courtney profiled in Patricia Hersch's study of teenagers, *A Tribe Apart*. According to Courtney, her parents aren't helping her at all by giving her so much freedom: "They let me go over to my boyfriend's house when they know his parents aren't home. That is weird. I am surprised they let him come over all the time." Eventually Courtney "runs out of excuses" and has sex with her boyfriend because "he really kept bothering me about it." In an article in *Glamour*, a teenager described the night he took his girlfriend's virginity in a hotel room—to which the pair were driven by her father, "knowing full well what was about to transpire." No wonder, as *A Return to Modesty* concludes, "our mothers pined for liberation, and we are pining for interference."

As Miss Shalit understands, in the heart of even the most jaded young woman, there lurks a longing for a man who will court her in a respectful way not fraught with sexual pressure. This is the explanation of the great revival of interest in Jane Austen, Edith Wharton, and the novelists of manners. The sexual modesty championed in *A Return to Modesty* is not to be confused with a distaste for sex, a prudishness, or a denial of female sexual desire. The feminists may think so, but Jane Austen's heroines know otherwise. Traditional modesty, writes Miss Shalit,

> existed not to oppress women, but with the aim of putting them on an equal footing with men. The delay modesty created not only made it more likely that women could select men who would stick by them, but in turning lust into love, it changed men from uncivilized males who ran after as many sexual partners as they could get to men who really wanted to stick by one woman.

Perhaps in order to make her book more palatable to liberals, Miss Shalit sometimes presents herself as steering a reasonable, middle course between Left and Right. Feminists, she says, are prescribing the wrong remedies to restore order to a chaotic sexual landscape. Such measures as date-rape-awareness seminars, sexual-harassment litigation, and "Take Back the Night" rallies are, she says, "a valiant attempt to restore order," even if ultimately they are like "trying to put a Band-Aid over an amputated limb." And she scolds conservatives for adopting a counterproductive attitude of "boys will be boys" and failing to take the "girls' crisis" seriously.

Wendy Shalit
A Return to Modesty
Discovering the Lost Virtue
Free Press, 304 pp., $24

But her characterization of conservatives as unconcerned about the plight of young women is wrong. Thoughtful criticism of the effects of the sexual revolution on women, children, and society has been well articulated by many conservative writers.

If, in fact, Miss Shalit has constructed her "conservative" straw women in order not to seem conservative and antifeminist in every respect, her tactic is doomed to fail. Contemporary feminists will never—can never—accept her argument, because it would destroy the rock upon which modern feminism is founded: the myth of androgyny.

By the end of the book, through the force of her own analysis, Miss Shalit is led to examine the terrible impact of divorce, the loss of social sanctions against adultery, and other vanished barriers to socially destructive behavior. Thus she implicitly concedes the radicalism of her proposal: Restoring modesty means teaching boys and girls a whole new—or very old—set of gender-specific moral and ethical values. Honor and manliness for men? Chastity for women? Radical indeed.

Miss Shalit, however, does not really complete her analysis of the burdens and responsibilities that go with any restoration of traditional sexual virtues. Reading passage after passage of lyrical prose celebrating the nobility and promise of courtly love and undying marital devotion, the reader will find it hard not to think of the fluttery warbling of Snow White singing "Someday My Prince Will Come" to the bluebirds and the bunnies. Given that a central premise of *A Return to Modesty* is that young girls should be allowed to cherish and preserve their romantic dreams, there is nothing wrong with this.

At the same time, *A Return to Modesty* leaves unanswered serious questions. What happens—to use Danielle Crittenden's phrase—when Miss Shalit's prince actually does arrive? What else do men and women, husbands and wives, bring to a marriage? What does a man get for giving up sex on demand with a variety of women? Will he do his share of the dusting and cleaning? Will he change his half of the diapers? It is not clear that the old sexual order—which reached its fullest expression in a lifelong, fruitful marriage—can be rebuilt simply by restoring old-fashioned courtship rituals.

That said, however, it is entirely understandable that Miss Shalit takes her excellent argument only as far as she does. *A Return to Modesty* deserves to be given to every young woman who is forced to grow up in today's feminist culture. And to help persuade those miseducated young women to reconsider their basic assumptions about sexuality and gender, Miss Shalit is right to proceed gently, even stealthily. ♦

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Of Law and Liberty

Richard Epstein's Version of Laissez Faire

By Jeremy Rabkin

Richard Epstein, one of the great legal scholars of his generation, describes *Principles for a Free Society: Reconciling Individual Liberty with the Common Good*, as a defense of "laissez faire." It certainly offers many illuminating and compelling analyses of particular legal issues, but as a summation of his overall outlook, the book does not add up to a satisfactory scheme for "reconciling individual liberty with the common good," as the subtitle promises.

Richard A. Epstein
Principles for a Free Society
Reconciling Individual Liberty with the Common Good
Perseus, 360 pp., $30

The problem is not that the book departs sharply from Epstein's past work. In fact, as he explains in the preface, the book was originally conceived to collect previously published essays and articles. And yet, in its finished form, the book proves far more ambitious than Epstein's earlier works.

In a dozen previous books, Richard Epstein has tended to focus on *particular* questions of public policy: discrimination law in his 1992 *Forbidden Grounds* and the over-regulation of health care in his 1997 *Mortal Peril*. He did make a more general case for eschewing complex schemes of regulation in his 1995 *Simple Rules for a Complex World*, but the argument was weighted toward practical effects. In his 1985 *Takings: Private Property and the Power of Eminent Domain*, Epstein argued for a far-reaching understanding of a particular constitutional guarantee, but his case was still rooted in the "takings" clause of the Constitution. In his new book, Epstein purports to give the most general overview of his position. But, rather than adding more force to his arguments, this broader work highlights the limitations of his approach.

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The limitations derive from the distinctive angle with which this particular law professor views the world. Epstein is hardly unusual nowadays, even in the legal academy, for rising to the defense of free markets. But he is not simply another follower of the "Law and Economics" movement associated with Judge Richard Posner (who was Epstein's colleague at the University of Chicago in the 1970s). The Law and Economics movement focuses on how legal norms can promote economic efficiency, while Epstein links economics to questions of justice. Among his first important scholarly works was a series of articles—published, in fact, as an exchange with Posner—on whether tort pleadings can really be conceived in purely procedural terms, without reference to the justice of the individual claims.

Epstein comes to debates on larger constitutional issues from a perspective he developed in his work on private law claims. (He is the editor of one of the most widely used textbooks on the law of torts.) At the core of his scholarly project is his effort to clear away decades of legal-realist confusions and restore the prestige of nineteenth-century case law on basic legal principles. In many chapters of this book, as in his previous work, he delights in showing that a Latin maxim from Justinian is vindicated in the ruling of a nineteenth-century English or American court and that the result reflects a powerful legal logic. He argues that traditional rules regarding contract and property follow from powerful intuitions about the human incentives needed to maintain stable and workable systems of cooperation and exchange.

Epstein's version of laissez faire does not celebrate the heroic individual, in the manner of Ayn Rand. On the contrary, he is concerned with how society and its various components adapt to changing conditions. He has interesting things to say about the usefulness of custom and the importance of social norms in encouraging cooperative behavior. One of his arguments is that the heavy hand of law often displaces the more flexible bargaining that takes place where loss of reputation is the main sanction (as in bargaining between landlords and tenants or between employers and employees).

At the same time, Epstein is not determined to restrain the law within formalistic limits, in the manner of Friedrich Hayek. In some ways, Epstein is quite open to variations on his basic formulas. He has an interesting chapter on why common property (as in shared pasture land) works well in some circumstances. Another chapter argues that in some circumstances, the legal system must allow special claims against common carriers (such as railroads or phone lines). His general approach is to show that variations from the usual rules can be justified by particular circumstances. He explains why it is sensible to attribute ownership of an entire cave to the owner of the land at the cave's mouth, rather than forcing courts to sort out the conflicting claims of all those with land above the cave. He argues, then, for practical or utilitarian adjustments to the otherwise expected rights of owners, when the cost of enforcing the usual array of rights seems disproportionate.

But Epstein almost always comes back to the underlying logic of traditional notions about private property. He continually emphasizes the social and economic reliance on voluntary exchange, with government largely limited to preventing the use of force or fraud. His concern, as he says, is with "demonstrating the eerie congruence between natural law and utilitarian theories on some of the key building blocks of our own legal tradition."

So, for example, Epstein makes a compelling distinction between acceptable environmental regulations that protect property from drifting pollution, and unacceptable land-use con-

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trols that essentially recruit an owner's property for public benefit (because it is, say, an unspoiled wilderness). In the usual approach to land-use controls, an owner's use of his land may be limited by the state even when the proposed use does no harm to his neighbors or anyone else. Owners are typically offered no compensation from the public treasury for what is, in effect, a taking of the owner's property.

And yet, however interesting particular passages in Epstein's argument are, the whole seems less than the sum of its parts. One can grant that twentieth-century complexities do not negate the force of nineteenth-century reasoning about property rights. But that doesn't necessarily require one to endorse the wider libertarian vision that Richard Epstein is trying to promote.

To start with, Epstein does not inspire trust as a guide to the past. He is so anxious to demonstrate his "eerie congruence between natural law and utilitarian theories" that he doesn't pay close attention to what any particular thinker actually said. He reproaches John Locke for mistaking the natural origins of property—and then ignores that Locke took back important elements of the theory in his account of property in civil society. At the same time, he fails to recognize how much Locke altered earlier natural-law doctrine precisely to accommodate what later generations would call "utilitarian" reasoning. Epstein does not notice how much "utilitarian theories" already take for granted the equality of individual preferences and how contrary such assumptions are to the understanding of natural law in ancient and medieval thought. Epstein is so cavalier about his philosophical authorities that he twice calls Samuel Pufendorf a "Dutch thinker," when that seventeenth-century figure was the model of a long-winded German pedant.

Nor is Epstein interested in actual history, even when it comes to our own constitutional history. He summons nineteenth-century judges without noticing that their strictures on property and contract law went along with a ready acquiescence in criminal laws against vice and in government expenditure on a variety of public undertakings, including public hospitals, schools, and universities. Judges before the New Deal favored "limited government," but they were not, in the modern understanding, "libertarians." Epstein surely knows this, but he seems uninterested in what they actually thought about the permissible role of government. So, for example, his discussion of "harms to self" focuses on tort principles, but skates right past the question of assisted suicide, despite the English jurist William Blackstone's famous denunciation of suicide ("the pretended heroism but real cowardice of the Stoic philosophers, who destroyed themselves to avoid those ills which they had not the fortitude to endure") and despite the fact that all American states adopted the common-law prohibitions against suicide.

LEFTISTS SQUEEZE POLITICS INTO LAW. BUT LIBERTARIANS ALSO REDUCE ALL PUBLIC QUESTIONS TO LEGAL CLAIMS.

Finally, there is something dismayingly unpolitical about Epstein's analysis. He strives to demonstrate that the broad programs of public control we have seen in this century rely on faulty reasoning. He is not much interested, though, in how those programs came about—that is, precisely how Americans and their elected representatives were deluded into thinking they were better off with more government control. He is even less interested in thinking about how we might be persuaded to cut government back. So, in a remarkably brief discussion, he suggests that Social Security retirement benefits are improper, but offers no serious advice on how politicians could explain this to the electorate.

In all this, Epstein argues essentially as a lawyer. He often has a good analysis of the particular rule or policy or program he is attacking. But even though this book is intended to be a general overview, Epstein never puts his analyses together into a satisfying account of what is required to maintain a free society over time. This book would have been better entitled, "*Some* Principles for a Free Society."

It is not always a bad thing to argue like a lawyer. The framers of the Constitution were, for the most part, lawyers. So, too, were some of the greatest American statesmen, like Webster and Lincoln. Certainly it's grotesque to see activists of the left trying nowadays to squeeze a whole ambitious political scheme into a lawsuit. But it's equally unsettling to see libertarians diminish great public questions to legal claims that citizens can press against one another. The legal parameters of Epstein's thought are relentlessly reductive.

In talking about the dangers of "altruism," for example, Epstein cautions that a generous welfare state invariably limits its own capacity for immigrants: "So long as redistribution remains the internal norm, it is just too costly to allow outsiders to share the benefits. The price of a strong program of domestic welfare places unnecessary obstacles in the path of free immigration." There is certainly a serious point here. Ambitious domestic welfare schemes do complicate immigration, as recent debates in California and Florida have reminded us. But why should we regard "free immigration" as the ideal?

Thomas Jefferson, who has some claim to be ranked among the champions of individual liberty, didn't think so. He worried that too many foreigners accepted in too short a time would threaten the country's political traditions. Jefferson may have been wrong, but the question doesn't even cross Richard Epstein's horizon. Epstein's approach, as he himself says, "hews to the reductionist view of human nature and social organization that lies at the heart of [his] methodological approach." The problem is that Epstein's methodological approach isn't up to the task he sets himself. Neither his reductionist approach nor his legal formulas add up to a real country—much less a stable republic. ♦

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FORWARD TO THE FUTURE

Virginia Postrel's Dynamist Manifesto

By James W. Ceaser

Move over Democrats and Republicans, liberals and conservatives, there's a new cleavage in town: stasists versus dynamists. And their embryonic conflict will soon—or so argues Virginia Postrel in her new book, *The Future and Its Enemies*—become the main division in American politics.

Virginia Postrel
The Future and Its Enemies
The Growing Conflict over Creativity, Enterprise, and Progress
Free Press, 288 pp., $25

Signs of this growing split can already be glimpsed: in disputes over international trade, where Buchananites and Naderites join to fight proponents of a high-tech economy, or in battles over immigration, where the Sierra Club locks arms with the editors of *National Review*.

Stasists are those who desire stasis and fear open-ended change. They want to hold onto something from the past or (what amounts to the same thing) to impose a preconceived image on the future; they feel that "the world has gone terribly wrong, and someone needs to take control and make things right."

Stasism is divided into a reactionary and a technocratic wing. In economic matters, the reactionaries—Pat Buchanan, Ross Perot, and Richard Gephardt—are wedded to current modes of production and spooked by globalism. In cultural affairs, the reactionaries—like the prigs who run THE WEEKLY STANDARD—cling to outmoded Victorian values and detest such spontaneous cultural creations as beach volleyball. The technocratic wing of stasism, represented by the likes of Al Gore with his information superhighway, is a bit of a wolf in sheep's clothing: The technocrats may speak the language of progress, but their adherence to centrally imposed plans for the future inevitably ends up thwarting genuine progress.

Dynamists, by contrast, are those who wish to press ahead, to go where no man has gone before. They understand that progress cannot be charted. Dynamists take their progress piecemeal—which is, they say, the only way it can come. They are believers not in outcomes but in process: "The dynamist promise is not of a particular, carefully outlined future." Nevertheless, they know that this process will bring us something better: "The future will be as grand, and as particular, as we are."

The Future and Its Enemies is more than an analysis of the emerging political cleavage in America. It is a fervent partisan statement, "an unabashedly dynamist work." Postrel's conviction displays itself not just in the content of the book, but in the style she has developed to explain it. Postrel writes like a dynamo: Just as you are digesting the ideas she presents from Hume or Hayek, she bombards you with clusters of vignettes from pop music, movies, television sitcoms, and the techie software universe. No rest is offered for the weary, no moment for intellectual stasis. Too much time for reflection, it seems, violates the dynamist's credo to move, strive, seek, and find. Overpowered by Postrel's twin strikes from neoclassical economics and new-age philosophy, the reader is supposed to have no choice but to submit.

It is a measure of Postrel's intense partisanship that she calls dynamism the "party of life." As the title of her book indicates, the future is not a neutral period of time, but something with an aim or direction. The future wants to be better. And better it will be if only its "enemy"—the stasist party of death—does not stand in its way. Progress is in the nature of things; only willful human action can hold it back.

Postrel is editor of the libertarian magazine *Reason*. But while she does not exactly reject the label of libertarian, neither does she embrace it. And there would seem to be a difference between libertarianism and dynamism. For the libertarian, the liberty of the individual is an end in itself—indeed, the highest end. For the dynamist, liberty seems to be primarily a means, vindicated by the progress it brings.

This shift from libertarianism to dynamism reflects the strikingly theoretical character of Postrel's argument. She grounds her position not on a particular view of the human good, but on a universal "principle of reality" that governs everything—physical, cultural, economic, and historic. The principle is one of organic growth: The individual parts of any system follow their own limited nature or ends, and the result is a progressive evolution of the whole. It is this cunning of systems that allows development of ecosystems, languages, and economies. All follow the same law of spontaneous growth.

Humans, it is true, fit oddly into this universe because we can picture a system as a whole. We can conceive of imposing, by conscious design, an architecture on politics or economics. But when we do so, Postrel argues, we go astray. By trying to command what cannot be commanded and rule what cannot be ruled, humans violate the reality principle and muck things up.

Of course, we should try to be rational in the conduct of our own little pieces of reality, but the whole is properly the business of no one. It belongs to the process. The only spontaneous urge that humans are obliged to suppress—obliged, as it were, by a law that reveals the secret of progress—is the desire to rule or command a general system.

For Postrel, the fingerprints of an invisible hand are everywhere. The marketplace is merely one manifestation of a larger principle at work

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throughout the universe. Postrel offers no speculation on why this harmony should exist—she does not speak of a First Cause or God—nor does she indulge many expressions of awe other than to sing the praises of our "enchanted world" that includes "beach volleyball and bread machines, pianos and Post-it notes."

While Postrel is surely not the first to argue this principle, she seems to have embraced it with a passion unknown to any of her predecessors. Previous proponents—one thinks of Locke, Hume, and Smith—tended to make an exception of sorts for the cultivation of human beings. But Postrel extends the notion of spontaneous development to the human soul itself.

She has had enough of the fuddy-duddies who preach "the repression theory of progress," enough of the East Coast intellectuals who amuse themselves by ridiculing what they snidely label the oxymoron of California culture. In place of repression, she elevates play and the spontaneous desire for fun. Nor is she afraid to celebrate the well-tanned culture of the beach, praising "the bronze and the brown," for which she is, admittedly, a more plausible advocate than Steve Forbes.

But this turn to play is not a critique of progress. Drawing on the examples of techies whose fortunes derive from solving puzzles for the sheer joy of it, Postrel contends that the more we play, the more we succeed. "Play is what we do for its own sake, yet it is a spur to our most creative, significant work."

Conservatives—if one dares still to speak in such outmoded categories—will find much to admire in this irrepressible and ingenious work. *The Future and Its Enemies* updates conservative arguments against centralized economic control and applies them to features of our economy that snobs like to disdain. Where academics make careers trashing Disneyland, McDonald's, and Wal-Mart, Postrel shows both the genius that lies behind such business enterprises and the reasonable human needs they fulfill. She is especially effective in exposing the elitism of the communitarians who preach about people's right to choose—but only after they have been instructed on how they must think. And she reminds a certain branch of conservatives, those who revel in the gloomy fantasy of a return to the medieval city, of the link between liberty and progress.

Yet the reader may well wonder about the wisdom of basing a whole political theory on the principle of spontaneous organic development. This principle appears to guard against the temptation of imposing a rigid image of the Good Society on human affairs, stifling the energies that promote innovation. But the best modern conservative models have long recognized the difference between such intrusive visions and a more modest understanding of nature that underwrites liberty and keeps humans worthy of being free.

It is not the case, moreover, that all systems of liberty have developed spontaneously or that they can be maintained without any knowledge of the whole of the political order. Indeed, Postrel herself is of two minds on this point. While praising spontaneous development, she cannot fail on occasion to notice the mysterious "architects" who construct the edifices that allow successful organic growth. Although she does not like to speak much about these architects, without their edifices and without the knowledge they employed to construct them, we would be nowhere today and heading for tyranny or barbarism tomorrow.

Conservatives may similarly doubt whether Postrel leaves any room for politics. Political life cannot be subsumed under a single reality principle. For someone who sees the future as unpredictable and open-ended, Postrel is remarkably certain about the coming cleavage in American politics. If previous experience is any guide, it is likely that a decade from now our political parties will not be divided between stasists and dynamists. It is far more likely that our political conflicts will turn on traditional questions of justice, and that the source of America's problems will not be stasists but some hostile force on the international scene.

Even for those conservatives who share with Postrel a partiality for dynamist ideas as a guide to public policy, the question remains whether the principle of spontaneous growth is an adequate philosophical support. Has any society of liberty been based on spontaneous growth? Is a philosophy that speaks only of blind process, unconnected to any image of the good, sufficient to ground a political order, especially one promoting liberty?

Try as she might, Postrel herself cannot remain unabashedly dynamist in her responses to such questions. And the alternative she offers, one that elevates the playful spirit to the apex of the human hierarchy, does not strike me as plausible. I can readily accept a playful soul as head of the computer-programming Microsoft or the movie-making DreamWorks, but must I have one as my university's dean or, God forbid, my nation's commander-in-chief? ♦

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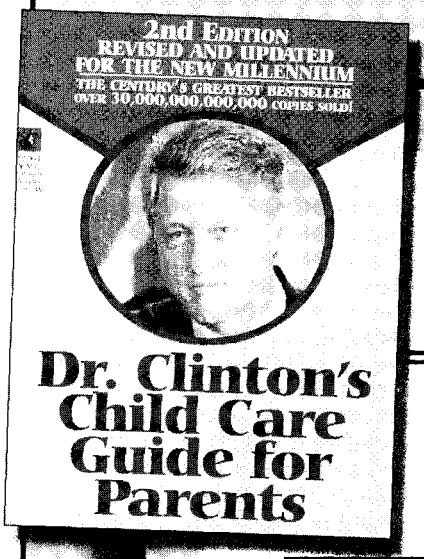

The Father's Part

TRUST YOURSELF

1. You know more than you think you do. Soon you're going to have a teenage son. You're happy and excited, but you haven't had much experience. You wonder if you can do a good job. You want to raise him to be a fine young man, but you don't want him competing with you for girlfriends. You want to treat him well, but you don't want any other illegitimate children you've strewn across Arkansas and the key primary states showing up at the White House expecting to be taken in.

Don't take too seriously what all the "experts" say. Trust your common sense. For example, when your son's mother comes over for a visit, don't let her get away with charging you her full rate. You've had a child together; make her give you a discount. Above all, don't worry too much. You've already gotten yourself off to a good start by ignoring your son for the first 13 years of his life. Too many fathers start bonding with their children even before incontrovertible evidence comes back from the DNA lab. Too much early parental attention can cause a child to lack the insatiable hunger for approval that leads to a successful career in politics. On the other hand, don't neglect him much longer. In a couple of years, you'll find that the mentality of a 15-year-old teenage boy is eerily similar to your own. You'll be able to enjoy many things together: old *National Geographic*s, favorite Web sites, *Baywatch* tapes.

Above all, be yourself. Every son is looking for the same things from his father: someone he can trust, someone he can rely on, someone who will stick with him through thick and thin. When your son comes to you looking for these qualities, tell him to forget about it. He's barking up the wrong tree.

In other words, if you act naturally around your boy, you'll be able to get even more pleasure out of him than you did out of his mother. And if for some reason you don't, you can always send him away. It depends how you define the word "son."

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ONCE IN A BLUE MOON PEOPLE DO THE IMPOSSIBLE

BEHOLD THE W[illegible]F TECHNOLOGY. SPECT[illegible]ULA[illegible]REAKTHROUGHS THAT LEAD TO H[illegible] MILESTONES. AND STEAD[illegible]DVANCEMENTS THAT QUIETLY TRANSFORM HUMAN LIVES. SPACE TECHNOLOGY DOES BOTH: LAUNCHING EPIC EVENTS SUCH AS THE FIRST LUNAR LANDING AND GENERATING THOUSANDS OF INNOVATIONS THAT EMPOWER THE PEOPLE OF EARTH. GPS UNITS TO DIRECT EMERGENCY RESPONSE TEAMS. CONTROLS TO GUIDE MOTORIZED WHEELCHAIRS. MRI, PET AND CAT SCANS TO DETECT ELUSIVE DISEASES. SATELLITE IMAGERY TO MONITOR DANGEROUS STORMS AND KEEP THE PEACE. CELL PHONES AND COMMUNICATION SATELLITES TO EXTEND OUR REACH WORLDWIDE—AND A HOST OF OTHER TOOLS AND PROCESSES THAT PRESERVE AND ENRICH OUR LIVES. SPACE TECHNOLOGY—IT GAVE US THE MOON AND CONTINUES TO GIVE MORE THAN WE EVER IMAGINED. EVERY DAY.

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